PRESERVED

App. F. IX-4

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File No. 40-40

Serial Nos. 1

Previous References

Later References.

47

GENERAL AND REVENUE SECRETARIAT.

Serial Nos: one only

A. Collection

Part B for Feb 1941

SUBJECT.

The Contempt of Courts (amendment) Act 1941

P 4020 Dated 4th Feb 41

To

WD 0573—GPB—22,500—12-9-39

The Compiler, Mysore Gazette
for publication.

G. C. Vajramani
28/5/41

298 P 40

General and Revenue Secretariat | File No. of 194 | [App. F. III-2

Serial No.

Submitted
(Members) Hon 12/7/40.

THE CONTEMPT OF COURTS ACT.

The High Courts of Judicature established by Letters Patent in British India are superior Courts of Record and as such they have power to attach and commit for acts amounting to contempt of their own proceedings as contempt of Court without reference to whether the acts alleged constitute an offence under the Indian Penal Code or not.

A doubt was felt whether the High Courts possess power to punish for such contempts committed in regard to proceeding in courts subordinate to them. There were also some doubts whether the High Courts other than those established by Letters Patent possess these powers. In order to clear these doubts the contempt of courts Act (XII of 1926) was passed in British India. A legislative enactment on somewhat similar lines came into existence in Mysore in 1930. While doing so, the Mysore Act made some departure from the British Indian Act. The main differences are:-

(1) the act of contempt has been defined in the Mysore Act whereas it has been purposely omitted in the British Indian Act when the Bill was passed in the Legislature.

(2) the Act in Mysore is confined to deal with contempt of Court in pending proceedings and thereby restricting the operation of the Act to pending cases

OFFICE OF THE FIRST [illegible] OF COUNCIL
JUL 12 1940
No. 513

NOTE—Contn. Sheet.

Serial No.

unlike the British Indian Act.

The Mysore Act has thus become not quite so useful to prevent contempt of courts as it would have been if it had been framed on the model of the British Indian Act.

It is not possible to lay down an exhaustive catalogue of cases which would amount to contempt of courts. The cases of contempt may be roughly divided into the following classes:-

(1) Any act done or writing published calculated to obstruct or interfere with the due course of justice or the lawful process of courts is a contempt of court. This is provided for in the Mysore Act.

(2) Any act done or writing published calculated to bring a Court or a Judge into contempt, or to lower his authority, is a contempt of Court. This class belongs to the category which is characterised as "Scandalising a Court or a Judge". To constitute contempt, it is not necessary that the act or writing should be in respect of a case which has been heard or is pending. The Mysore Act confers jurisdiction on our High Court to take cognisance of contempt of Court coming within this class only with respect to pending cases. This limitation was imposed by the Select Committee which considered the Bill. From the report of the Select Committee it would appear that there was

Serial No.

a difference of opinion even there on this point, though the restriction was ultimately embodied in the amended Bill. It is rather difficult to say why this restriction has been placed. The point of time at which the contempt of court was committed seems to be very material under our Act in order to make a scurrilous attack on the courts or Judges an offence to be dealt with under the Act. If instead of publishing an article, while the case is pending, a person waits till the judgment is pronounced by the Hign Court and publishes the same, he would escape being hauled up for contempt. It is necessary the ~~articles~~ acts intended to lower the prestige of the High Court and the dignity of the Judge should be dealt with as contempt of court whether they are published either before or after the termination of the proceedings in the Court. Of course this class of contempt is always to be taken subject to one and important qualification tnat the Judges and Courts are alike open to criticism, and if reasonable argument or expostulation is offered against any judicial act as contrary to law or the public good, no Court could or would treat that as contempt of court as has been pointed out by their Lordships of the Privy Council in 71 M.L.J. 665 (P.C.)

In the light of such reservation, a bona fide act of criticism of a judgment would be protected. But

NOTE—Contn. Sheet.

4

Serial No.

what has happened in Mysore is that according to the Contempt of Courts Act, the courts are helpless to take action against even mala fide attacks merely because the same is done a few minutes after the termination of the proceedings. It is this anamoly that remains to be set right. The Mysore Act has to be brought on par with the British Indian Act by omitting the limitation imposed in section 3. This could be done by deleting the last few words of that section, namely, " in respect of any pending judicial proceedings, civil or criminal." and the explanation attached thereto.

In fact the original Bill sent by the High Court to Government did not contain any such restriction. In this connection the basis on which the category of contempt already noticed as "Scandalising a Court or Judge" is punished would be very relevant. "the principle which is the root of, and underlies contempts of Courts will be found to be, not the purpose of either protecting the Court as a whole, or the individual Judges of the Court from a repetition of them, but of protecting the public and especially those who either voluntarily or by compulsion are subject to its jurisdiction from the mischief they will incur if the be authority of the tribunal is undermined or impaired. The offended dignity of a particular court or of the persons who compose it is not the subject of punishment. The real offence is the wrong done to the public

General and Revenue Secretariat | File No. of 194 | [App. F. III-2

Serial No.

... OFFICE
... JUL. 1940
412

by weakening the authority and influence of the tribunal which exists for their good alone." In this view the offence will be committed whether profeedings are pending or are not before a Court.

It appears desirable therefore to amend the Mysore Act as suggested above in order to bring the law here in line with British India and the West.

A tabular statemnt giving the Mysore Act and the British Indian Act side by side is also put up.

Hm
2
12/7/40

It is for their necessary to amend the Act as suggested in the above note. Before taking further action, the Chief Justice will be unofficially consulted

Dewan) Hm 13/7/40

Hm
13-7-40

Hm 15/7/40

Hm
2
15/7/40

Hm
15/7

NOTE—Contn. Sheet.

6

298

File No. of 194

General and Revenue Secretariat.

Serial No. L.G.No. P 8240 dated 16-7-40

Forwarded with compliments to the Chief Justice in Mysore, Bangalore for favour of remarks.

By Order,

H.V. Nanjunda Rao

Secretary to Government
Law Department.

Returned with compliments
to the Secretary to Government,
Law Department.

I agree that it is
desirable to amend the
Act by deleting, as proposed,
the words in respect of any
pending judicial proceedings,
civil or criminal" in section 2
of the explanation to that
section. So long as that is
not done what would
otherwise be contempt of
Court within the definition
in section 2 will escape
punishment under the
Act if committed in respect
of a case which has been
disposed of or not in
regard to any particular
case, though it may be a
very harmful contempt.

H.S. Rai
4 July 1940

The Contempt of Courts Act

298/D

General and Revenue Secretariat | File No. | of 194 | [App. F. III–2

Serial No.

943

OFFICE OF THE
FIRST MEMBER OF COUNCIL
JUL 25 1940
1107

cl case

The Act may be amended as suggested above

I Member) Hm 25/7/40 JMEW 25/7

Dewan) Mcl 26/7/40

Hm 26-7-40

for favour of circulation

Chief Secy) W/C. Hm 27/7/40 JMEW 27/7

Submitted with a circulation Memo

Br 4/7/40.

Signed MG 30/7

A draft Bill and a statement of Objects and Reasons are submitted

A.D.7.N. is also put up

13-9-40 JMEW 13/9

Law Secy)

D.7.N. submitted

OFFICE OF THE
FIRST MEMBER OF COUNCIL
SEP 13 1940
No. 2556

I Member) Hm 13/9/40

Signed 7N is Kept in file.

OFFICE
14 SEP 1940

666. 14/9/40

NOTE—Contn. Sheet.

8

298

For Disposal by Circulation. **No. C. 58 of 1940-41**

.....193.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Amendment of the Mysore Contempt of Courts Act.

Circulated to the Members of Council.

By Order,

29th July 1940. *Chief Secretary to Government.*

First Member of Council. (Seen)

1054
30.7.40 **Second Member of Council.**

Law Secy. with compliments

31.7.40

31/7/40

31.7

3

31/7

9

Final Note by the First Member of Council.

Subject.—

Contempt of Courts Amendment Bill.

The Contempt of Courts Act, 1930, while following in the main the corresponding British Indian Statute of 1926, made some departure in providing that contempt could be committed only in respect of pending judicial proceedings. There is no such limitation under the law in British India or in England.

In order that acts intended to lower the prestige and dignity of a Judge or Court may be dealt with (as in British India) under the Law, whether such acts are done before or after the termination of proceedings, it is necessary to amend the Act. The Chief Justice is also of this opinion.

The Dewan and the Second Member of Council are agreeable to the proposal. I solicit the gracious sanction of His Highness to place the general principles of a Bill for this purpose before the ensuing Representative Assembly and to introduce the Bill before the Legislative Council.

N. Madhava Rau

MEMBER OF COUNCIL.

Bangalore,
14th September 1940.

10

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* the Contempt of Courts Amendment Bill

for His Highness' gracious approval.

Mirza M. Ismail
Dewan.

Bangalore,
14th September 1940.

Wireless No. C.1721
dt 19.9.40.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Contempt of Courts Amendment Bill.

Order.

No. 147

TBW.
17/9/40.

Chief Secy
pls
20/9/40

3250 940

Contempt of Courts (amendment) Bill 298

General and Revenue Secretariat | File No. D.597/40 of 194 | [App. F. III-2

Serial No.

OFFICE OF THE
LEGISLATIVE COUNCIL
NOV 28 1940
No. 5321

SECRETARY
27 SEP 1940
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

The previous approval of this Address has been accepted to proceed with the Bill in the Chambers

Three copies of the Statement of General Principles are placed below for being circulated and with the Draft Bill are submitted for approval.

27/9/40. 27/9

Submitted with copies for further action

27/9/

Copies taken (Protection Branch)
27.9.40

The Statement of General Principles were placed before the Representative Assembly during its recent session and accepted by the House 98 voting for and 54 against it.

A draft Bill is submitted for orders. If approved it will be published under rule 8 of the Rules of Business of the LC. The Statement of General Principles will also, if approved, be adopted as the Statement of Objects and Reasons.

27/11.

26.11.40. Laws Secy. May be published

I Member)
Dewan)

27/11/40
27/11

28/11/40

3-12-40

28/11
2/12

Kindly put up Russell's book on Forms of Legislation.
27/11
Put up 27/11
3646 2/12

Copies are placed below for circulating before being sent to LC Office
3/12/
3/12

Copies taken. File returned.
5.12.40

31/12

Protection Branch 4/12

NOTE—Contn. Sheet.

(13) Contempt of Courts (amendment) Bill 3250/P

File No. D. 1316/Leg. of 194 | General and Revenue Secretariat

Serial No.

The Bill has been published in the Gazette of the 12th December 1940.

Submitted for orders if the following motions may be put included in the Agenda for the ensuing Legislative Session.

1. Motion that the Bill published under rule 8 of the rules of Business be read in Council.
   Mover: 1st Member
   Seconder: Law Secretary

2. Motion that the Rules of Business and Standing Orders be suspended and the Bill taken into Consideration at once without reference to a Select Committee.
   Mover: 1st Member
   Seconder: Law Secretary

3. Motion that the Bill be passed
   Mover: 1st Member
   Seconder: Law Secretary

Orse 31/12/40

MMER 31/12

Law Secy

I Member)

Hm 2 31/12/40

MMER 31/12/40

Hm 2 31/12

MMER 2/1

Lc Mtg 2/1/41 for kind note and return

Orse 2/1/41

Noted & returned.

2/1/41

Protection Branch

OFFICE OF THE FIRST MEMBER OF COUNCIL
DEC 31 1940
No. 6609

OFFICE OF THE SECRETARY
2 JAN
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

Contempt of Courts (amendment) Bill.

3250
F. (116)

General and Revenue Secretariat | File No. | of 194 | [App. F. III-2

Serial No.

The Bill was introduced in the Legislative Council during its recent session and passed at one sitting after suspending the Rules of Business and Standing orders.

Submitted for orders vide a D/5 N.

21.1.41

22/1

Lord Seeing

D. S. N. submitted

Dewan)

Hm 2 22/1/41

22/1

NOTE—Contn. Sheet.

Submitted to His Highness.

The gracious assent of His Highness was accorded on the 17th September 1940 to place the general principles of the Bill to amend the Contempt of Courts Act, 1930, before the Representative Assembly and to introduce the Bill before the Legislative Council.

The statement of general principles was placed before the Representative Assembly in October 1940 and accepted by that House. The Bill was thereafter introduced in the Legislative Council at its recent session and passed by it at one sitting after suspending the Rules of Business and Standing Orders.

I solicit the gracious assent of His Highness to promulgate the Bill.

A. Madhava Rau

Camp: Mysore,
23rd January 1941.

First Member of Council
in charge of the current duties of the Dewan.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Contempt of Courts (amendment) Bill.

Order.

NO. 479

JRW.
27/1/'41.

Chief Secy
pm
29/1/41

MS
29.1.41

3250

C 391

General and Revenue
Secretariat.

SUBJECT:—

Promulgation of the Contempt of Courts (amendment) Bill

(*)

31 All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness, orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department. 30/1/41

FIRST MEMBER OF COUNCIL.

7864
30/1/41

SECOND MEMBER OF COUNCIL.
30.1

Law Secy. with Compliments
30.1.41

NOTE.—Contn. sheet

WD 01183—GPB—500—16-10-40

31/1/41

3-5 U

The Contempt of Courts (amendment) Act 1941

General and Revenue Secretariat | Key; File No.40 of 194° | [App. F. III-2

Serial No.	
	The placing assent of His Highness was accorded on the 27th day of January 1941 to promulgate the Bill into law. A draft G.O. directing publication of the Act V of 1941 is put up for approval. Sd/- 1.2.41 Law Secy. MRW 1/2 Sr 2544/-1/-
	Hm 2 3/2/41 Issue MRW 3/2 Attd. Nop 40-20-Legn 40-40-1 dated 4th Feb 1941

NOTE—Contn. Sheet.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:-

Order No. P. L020/ Legs 40-40-1

Bangalore, dated the 6th February 1941.

Ordered that the accompanying Act to amend the Contempt of Courts Act, 1930 which received the assent of His Highness the Maharaja, on the Twenty Seventh day of January 1941, be published as Act. No. V of 1941, in the Mysore Gazette for general information.

For Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies as per standing orders. Four clean proofs should be sent to this office for approval before publication.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legs
File No. 40-40
Serial No. 1

Diary No. of letter replied to.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. P 40020

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....*191*

Ordered that the accompanying Act to amend the Contempt of Courts Act, 1930

.....

which received the assent of His Highness the Maharaja, on the Twenty Seventh day of January 1941, be published as ~~Regulation~~ Act No. V of 1941, in the *Mysore Gazette* for general information.

Date of issue.....

Signed by.....

3/2/41.

Secretary to Government.
Law Department

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Spare copies as per standing order

4 clear

Up to Chairman to decide

THE CONTEMPT OF COURTS (AMENDMENT) BILL.

Statement of General Principles.

The Contempt of Courts Act, 1930, was modelled largely on the corresponding enactment of British India. Departing from that enactment, however, it provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable.

It is considered desirable to remove this limitation and bring the Act into line with the provision of law in British India on the subject. The effect of the proposed amendment will be that any acts intended to bring into contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court ~~whether such acts were~~ whether ~~in respect of pending or concluded proceedings~~.

~~The present Bill is intended to serve this purpose.~~

THE CONTEMPT OF COURTS (AMENDMENT) BILL.

WHEREAS it is expedient to amend the Contempt of Courts Act,1930;

It is hereby enacted as follows:-

1. This Act may be called the Contempt of Courts (amendment) Act,194

2. In section 2 of the Contempt of Courts Act, 1930, the words at the end of the section " in respect of any pending judicial proceedings, civil or criminal" and the Explanation to the section shall be omitted.

MYSORE ACT NO. XI OF 1930.

WHEREAS it is expedient to define and limit the powers exercisable by the High Court of Mysore in punishing Contempts of Courts; It is hereby enacted as follows:-

1 (1) This Act may be called the Contempt of Courts Act,1930.

(2) It shall extend to the whole of Mysore.

(3) It shall come into force on such date as the Government may by notification in the official Gazette appoint.

2. For the purposes of this Act a person is said to commit Contempt of Court who, by words either spoken or written or by signs or by visible representation or otherwise, interferes with or obstructs or attempts to interfere with or abstruct the - administration of justice in, or brings or attempts to bring into contempt, or lowers or attempts to lower the authority of the High Court or a Court subordinate thereto, in respect of any pending judicial proceedings, civil or criminal.

EXPLANATION.- A judicial proceeding is deemed to be pending even after a decision has been given by a Court, so long as such decision is open to appeal or revision.

3. Save as otherwise expressly provided by any law for the time being in force, whoever commits Contempt of Court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both;

BRITISH INDIAN ACT NO. XII OF 1926.

WHEREAS doubts have arisen as to the powers of a High Court of Judicature to punish contempts of Courts;

AND WHEREAS it is expedient to resolve these doubts and to define and limit the powers exercisable by High Courts and Chief Courts in punishing contempts of Courts; It is hereby enacted as follows:-

1 (1) This Act may be called the Contempt of Courts Act,1926.

(2) It shall extend to the whole of British India.

(3) It shall come into force on such date as the Central Government , by notification in the official Gazette, appoint.

3. Save as otherwise expressly provided by any law for the time being in force, a contempt of Court may be punished with simple imprisonment for a term which may extend to six months, or with fine, which may extend to two thousand rupees, or with both:

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the Court.

4. (1) The High Court may, on or without application take cognisance of an offence punichable under section 3, when such offence is alleged to have been committed in respect of such Court, or of a Court subordinate thereto.

Provided that the High Court shall not take cognisance of a contempt alleged to have been committed in respect of a Court subordinate to it where such contempt is an offence punishable under the Indian Penal Code as in force in Mysore.

(2). Save as provided in this section, no Court shall take cognisance of an offence punishable under section 3

5. (1) The High Court may prescribe by rules the procedure to be followed by it in proceedings in respect of an offence under this Regulation.

(2) Rules so prescribed when approved by the Government and published in the Official Gazette shall have the force of law.

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the Court:

Provided further that notwithstanding anything elsewhere contained in any law no High Court shall impose a sentence in excess of that specified in this section for any contempt either in respect of itself or of a Court subordinate to it.

2.(1) Subject to the provisions of sub-section (3) the High Courts of Judicature established by Letters Patent shall have and exercise the same jurisdiction powers and authority, in accordance with the same procedure and practice in respect of contempts of courts subordinate to them as they have and exercise in respect of contempts of themselves.

(2) Subject to the provisions of sub-section (3) a Chief Court shall have and exercise the same jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempt of itself as a High Court referred to in sub-section (1).

(3) No High Court shall take congnizance of a contempt alleged to have been committed in respect of a Court subordinate to it where such contempt is an offence punishable under the Indian Penal Code.

(3) The provisions of the Code of Criminal Procedure, 1904, so far only as they are not inconsistent with the provisions of this Regulation or the procedure prescribed under sub-section (1), shall apply to such proceedings and the High Court shall have in such proceedings all the powers conferred by the Code on that Court in the exercise of its original criminal jurisdiction, which it would exercise if so empowered under section 12 of the High Court Regulation, 1884.

D.O. No. C. 1721

C.58.

Vasantha Mahal,

Mysore.

19th September 1940.

SECOND M[illegible]
20 SEPT. 1940
No.....

My dear Madhava Rau,

In returning herewith your file No. 168, of the 15th instant, on the subject of the Contempt of Courts Amendment Bill, I am desired to point out that the last eleven words of the draft statement of general principles appear to impose a limitation on the scope of the Bill that was not intended. They say that any act intended to bring into contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court "whether such "act was in respect of pending or concluded proceedings". From the notes, and especially that of the Chief Justice, however, it would appear that the intention is also to include any act that brings a Judge or Court into contempt even if it has no connection with any particular case.

These words may be omitted & a reply sent to Sir T. Vijaya Raghavachariar

Law Sec 7.15/c MK 25/9.

Yours sincerely,

Subd. to Second Member) for perusal.

MK 25/9/40

I.C. 23.9.40

2861 20-9-40

Law Secy with Compliments.

SNK.

MK 23/9

23/9/40. MRM 23/9

K.O. 75
24.9.40.

My dear Sir Charles,

I have received your D.O. letter No.1721 dated 19th September 1940 pointing out that the last few words occurring in the draft statement of general principles on the subject of the Contempt of Courts Amendment Bill might create an impression that a limitation was imposed on the scope of the bill that was not intended. I wish to thank you for drawing attention to the point. We have decided to delete the words referred to.

Yours sincerely,

MV

Sir Charles Todhunter, K.C.S.I., J.P.,
Private Secretary to H.H. the Maharaja,
M Y S O R E.

MGV 25/9

4)

1919ನೆಯ ಇಸವಿಯ ಇಂಡಿಯಾ ಸರ್ಕಾರದ (ತಿದ್ದುಪಡಿ) ಮಸೂದಾ ಕಾನೂನಿನ ವಿಷಯದಲ್ಲಿ ಒಂದು ವರದಿಯನ್ನು ಒಪ್ಪಿಸಲು ನೇಮಕಮಾಡಲ್ಪಟ್ಟ "ಜಾಯಿಂಟ್ ಪಾರ್ಲಿಮೆಂಟರಿ ಕಮಿಟಿ" ಎಂಬ ಸಮಿತಿಯವರು, ಅಂಥ ಒಂದು ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಬಹುದೆಂದು ಸಲಹೆ ಮಾಡಿದರು. "ಶಾಸನ ಸಭೆಗಳಿಗೆ ಮೊಟ್ಟಮೊದಲನೆಯ ಚುನಾವಣೆಯನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ಮುಂಚೆ, ಅಕ್ರಮವರ್ತನೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಅಪರಾಧಗಳಿಗೆ ತಕ್ಕ ಶಿಕ್ಷೆಗಳನ್ನು ವಿಧಾಯಕಮಾಡಿ ಸಮಗ್ರವಾದ ಮತ್ತು ಕಟ್ಟುನಿಟ್ಟಾದ ಒಂದು ಆಕ್ಟನ್ನು ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಸಮಿತಿಯವರು ದೃಢವಾಗಿ ಅಭಿಪ್ರಾಯಪಟ್ಟಿರುತ್ತಾರೆ. ಈಗ ಇಂಡಿಯಾ ದೇಶದಲ್ಲಿ ಅಂಥ ಒಂದು ಆಕ್ಟೂ ಏರ್ಪಟ್ಟಿಲ್ಲ. ಅಂಥ ಒಂದು ಆಕ್ಟಿನ ಆವಶ್ಯಕತೆಯು ಇತರ ದೇಶಗಳಲ್ಲಿರುವುದಕ್ಕಿಂತಲೂ ಇಂಡಿಯಾ ದೇಶದಲ್ಲೇನೂ ಕಡಮೆಯಾಗಿಲ್ಲವೆಂದು ಸಮಿತಿಯವರು ಮನಗಂಡಿದ್ದಾರೆ" ಎಂದು ಸಮಿತಿಯವರು ತಿಳಿಸಿದರು. ಅದಕ್ಕನುಸಾರವಾಗಿ, ಇಂಡಿಯಾದೇಶದಲ್ಲಿ ನಡೆಯುವ ಚುನಾವಣೆಯ ತಕ್ಸೀರುಗಳಿಗೂ ಮತ್ತು ಅವುಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ಸಂಬಂಧಪಟ್ಟ ಆಕ್ಟು 1920ನೆಯ ಇಸವಿಯ ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಕಾನೂನಾಗಿ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಗೆ ಬಂದಿದೆ.

ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾ ಪ್ರಾಂತಗಳಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆ ಕಾನೂನಿನ ಮಾದರಿಯನ್ನನುಸರಿಸಿ ಈಗ ಸರ್ಕಾರದವರು ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಿದ್ದಾರೆ. ಅದರಲ್ಲಿ ಎರಡು ಭಾಗಗಳಿವೆ. ಮೊದಲನೆಯ ಭಾಗದಲ್ಲಿ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್ ಕೋಡಿಗೂ ಮತ್ತು ಕ್ರಿಮಿನಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿಗೂ ಕೆಲವು ತಿದ್ದುಪಡಿಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ. ಈ ಭಾಗವು 1940ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸರ್ಕಾರದ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಾಡಾದ ನ್ಯಾಯವಿಧಾಯಕಸಭೆ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗಳ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ: ಅಲ್ಲದೆ ಸರ್ವೇ ಸಾಮಾನ್ಯವಾಗಿ ಎಲ್ಲ ಬಗೆಯ ಸಾರ್ವಜನಿಕ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೂ ಸಹ ಅನ್ವಯಿಸುತ್ತದೆ. ಈ ಭಾಗದಲ್ಲಿ ಈ ಮಸೂದಾ ಕಾನೂನಿನ ಮೇರೆಗೆ ಸೂಚಿತವಾಗಿರುವ ಐದು ಹೊಸ ಅಪರಾಧಗಳನ್ನು ಎಂದರೆ ಲಂಚ, ಅನುಚಿತವಾದ ಪ್ರೇರೇಪಣೆ, ಮತೊಬ್ಬ ಮನುಷ್ಯನೇ ತಾನೆಂದು ಹೇಳಿಕೊಂಡುವರ್ತಿಸುವುದು, ಸುಳ್ಳು ಸಂಗತಿಗಳನ್ನು ಪ್ರಸಿದ್ಧಪಡಿಸುವುದು ಮತ್ತು ಸರಿಯಾದ ಲೆಕ್ಕಗಳನ್ನು ಇಡದಿರುವುದು, ಈ ಐದು ಹೊಸ ಅಪರಾಧಗಳಿಗೆ ಶಿಕ್ಷೆಯು ವಿಧಾಯಕವಾಗಿದೆ.

ಎರಡನೆಯ ಭಾಗವು ಹೊಸ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಏರ್ಪಟ್ಟ ನ್ಯಾಯವಿಧಾಯಕ ಸಭೆಗೂ ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೂ ಸಂಬಂಧಪಟ್ಟ ಚುನಾವಣೆಗಳಿಗೆ ಮಾತ್ರವೇ ಅನ್ವಯಿಸುತ್ತದೆ. ಅಲ್ಲದೆ, ಇದರಲ್ಲಿ ಆ ಸಂಸ್ಥೆಗಳಿಗೆ ನಡೆದ ಸದಸ್ಯರ ಚುನಾವಣೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಹುಟ್ಟುವ ವಿವಾದಗಳ ವಿಚಾರಣೆಗಳಿಗೂ ನಿಯಮಗಳು ಏರ್ಪಟ್ಟಿವೆ. ಈ ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ನೇಮಕವಾದ ಕಮಿಷನರವರಿಗೆ, 1911ನೆಯ ಇಸವಿಯ ಸಿವಿಲ್ ಪ್ರೊಸೀಜರ್ ಕೋಡಿನ ಮೇರೆಗೆ ಒಂದು ದಾವಾ ಮೊಕದ್ದಮೆಯ ವಿಚಾರಣೆಯನ್ನು ನಡೆಯಿಸುವುದರಲ್ಲಿ ಒಂದು ಕೋರ್ಟಿಗೆ ಯಾವ ಅಧಿಕಾರಗಳನ್ನು ಕೊಡಲಾಗಿದೆಯೋ ಅವೇ ಅಧಿಕಾರಗಳನ್ನು ವಹಿಸಲಾಗಿದೆ. ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ 1872ನೆಯ ಇಸವಿಯ ಇಂಡಿಯನ್ ಎವಿಡೆನ್ಸ್ ಆಕ್ಟಿನ ನಿಯಮಗಳು ಇಂಥ ವಿಚಾರಣೆಗಳಿಗೆ ಅನ್ವಯಿಸುತ್ತವೆ. ಈ ಎರಡನೆಯ ಭಾಗದಲ್ಲಿ ಇತರ ಕೆಲವು ಪ್ರಾಸಂಗಿಕವಾದ ನಿಯಮಗಳನ್ನೂ ಏರ್ಪಡಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ, ಅವುಗಳ ಜೊತೆಗೆ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ರೀತ್ಯಾ ಇಂಡಿಯನ್ ಪೀನಲ್‌ಕೋಡಿನ IX-A ಅಧ್ಯಾಯದ ಮೇರೆಗೆ ಶಿಕ್ಷೆಗೆ ಗುರಿಯಾದ ಒಬ್ಬ ಮನುಷ್ಯನು ಕೆಲವು ನೇಮಕಗಳನ್ನೂ ಹುದ್ದೆಗಳನ್ನೂ ಪಡೆಯದಂತೆ ಅನರ್ಹತೆಯನ್ನು ಹೊಂದತಕ್ಕುದೆಂದೂ ಈ ಭಾಗದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ. ಆದಾಗ್ಯೂ ಯಾವುದಾದರೂ ಒಂದು ಪ್ರತ್ಯೇಕ ಸಂದರ್ಭದಲ್ಲಿ ಅಂಥ ಅನರ್ಹತೆಯನ್ನು ಪರಿಹಾರ ಮಾಡತಕ್ಕ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರಿಗೆ ವಹಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ, ವೋಟು ಕೊಟ್ಟುದರ ಸಂಬಂಧದಲ್ಲಿ ರಹಸ್ಯರಕ್ಷಣೆಗೆ ಅವಶ್ಯವಾದ ನಿಯಮಗಳೂ ಸಹ ಇದರಲ್ಲಿ ಏರ್ಪಟ್ಟಿವೆ.

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4. ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕೆ ಶಿಕ್ಷೆ ವಿಧಿಸುವ ವಿಚಾರದಲ್ಲಿ ಏರ್ಪಟ್ಟ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ರಚಿತವಾದ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕೆ ಶಿಕ್ಷೆ ವಿಧಿಸುವ ವಿಚಾರದಲ್ಲಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಹೈಕೋರ್ಟಿನವರು ಚಲಾಯಿಸಬಹುದಾದ ಅಧಿಕಾರಗಳನ್ನು ನಿರ್ದಿಷ್ಟಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ 1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಕಾನೂನು ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದುದು ಸರಿಯಷ್ಟೆ. ಆ ಆಕ್ಟು ("ಕಂಟೆಮ್ಟ್ ಆಫ್ ಕೋರ್ಟ್ಸ್ ಆಕ್ಟು") ಬಹು ಮಟ್ಟಿಗೆ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾ ಪ್ರಾಂತಗಳಲ್ಲಿ ಅದೇ ವಿಚಾರವಾಗಿ ಏರ್ಪಟ್ಟಿರುವ ಕಾನೂನಿನ ಮಾದರಿಯಲ್ಲೇ ರಚಿತವಾಗಿದೆ. ಆದರೆ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಾನೂನಿಗೂ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಏರ್ಪಟ್ಟಿರುವ ಕಾನೂನಿಗೂ ಒಂದು ವ್ಯತ್ಯಾಸವಿದೆ. ಅದೇನೆಂದರೆ,—ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಮೊಕದ್ದಮೆಗಳ ವಿಚಾರಣೆಯು ಪೂರ್ತಿಯಾಗಿ ಇತ್ಯರ್ಥವಾಗದೆ ಇನ್ನೂ ನಡೆಯುತ್ತಿರುವಂಥ ವ್ಯವಹರಣೆಗಳ ಸಂಬಂಧದಲ್ಲಿ ಮಾತ್ರವೇ ಕೋರ್ಟಿಗೆ ಅವಮಾನಕರವಾದ ರೀತಿಯಲ್ಲಿ ನಡೆಯಿಸಲ್ಪಟ್ಟ ವರ್ತನೆಗಳಿಗೆ ಶಿಕ್ಷೆಯು ವಿಧಿಸಲ್ಪಡುವಂತೆ ನಿಯಮವೇರ್ಪಟ್ಟಿದೆ. ಇದೇ ಆ ವ್ಯತ್ಯಾಸ ಇದರಿಂದ, ಕೋರ್ಟುಗಳಿಗೆ ಅವಮಾನ ಮಾಡಿದುದಕ್ಕಾಗಿ ಶಿಕ್ಷೆ ವಿಧಿಸಬಹುದಾದ ಸಂದರ್ಭಗಳನ್ನು ಪರಿಮಿತಗೊಳಿಸಿದಂತಾಗಿದೆ.

ಈ ಪರಿಮಿತಿಯನ್ನು ತೆಗೆದುಹಾಕಿ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಜಾರಿಯೆಲ್ಲಿರುವ ಕಾನೂನಿನ ನಿಯಮಗಳಿಗನು ಗುಣವಾದ ರೀತಿಯಲ್ಲೇ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿನ ಕಾನೂನಿನ ನಿಯಮಗಳೂ ಇರುವಂತೆ ಮಾಡುವುದು ಸೂಕ್ತ ವೆಂದು ಭಾವಿಸಲಾಗಿದೆ. ಆದಕಾರಣ ಈಗ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ಈ ಮಸೂದಾ ಕಾನೂನು ರಚಿತವಾಗಿದೆ. ಈ ತಿದ್ದುಪಾಟಿನ ಪರಿಣಾಮವೇನೆಂದರೆ.—ಒಬ್ಬ ನ್ಯಾಯಾಧೀಶರಿಗೆ (ಜಡ್ಜಿಯವರಿಗೆ) ಅಥವಾ ಒಂದು ಕೋರ್ಟಿಗೆ ಅವಮಾನ ಮಾಡಬೇಕೆಂಬ ಅಥವಾ ನ್ಯಾಯಾಧೀಶರ ಅಥವಾ ಕೋರ್ಟಿನ ಅಧಿಕಾರ ಗೌರವಕ್ಕೆ ಕುಂದನ್ನುಂಟುಮಾಡುವ ಉದ್ದೇಶದಿಂದ ಮಾಡಲ್ಪಟ್ಟ ಯಾವ ಕೃತ್ಯದ ವಿಷಯದಲ್ಲಾಗಲಿ ಅದನ್ನು ಕೋರ್ಟಿಗೆ ಅವಮಾನಮಾಡಿದುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಕ್ಸೀರೆಂದು ಭಾವಿಸಿ ವ್ಯವಹರಿಸಲು ಕಾನೂನಿನಲ್ಲಿ ಅವಕಾಶವೇರ್ಪಟ್ಟಂತಾಗುವುದು.

ಬೆಂಗಳೂರು,
25-9-1940

ಎಚ್. ವಿ. ನಾರಾಯಣರಾವ್,
ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ ಸೆಕ್ರೆಟರಿ.

WD 482—GPB—450—29-9-40

ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆ.

ದಸರಾ ಅಧಿವೇಶನ—ಅಕ್ಟೋಬರ್ 1940.

ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯವರ ಪರಿಶೀಲನೆಗಾಗಿ ಒಪ್ಪಿಸತಕ್ಕ ಸರ್ಕಾರಿ ಕಾರ್ಯಕಲಾಪಗಳ ವಿವರ

1. 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡುವುದಕ್ಕಾಗಿ ರಚಿತವಾದ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ತರಾವಾಗಿರತಕ್ಕ ತೆರಿಗೆಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕಾಗಿ ಈಗ ಆಚರಣೆಯಲ್ಲಿರುವ ನಡೆವಳಿಕೆಯ ಕ್ರಮವು 1933ನೆಯ ಇಸವಿಯ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟಿನ VIIIನೆಯ ಅಧ್ಯಾಯದಲ್ಲಿ ವಿಧಾಯಕವಾಗಿದೆ. ಈ ತೆರಿಗೆಗಳನ್ನು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಶೀಘ್ರವಾಗಿಯೂ ಮತ್ತು ಪೂರ್ತಿಯಾಗಿಯೂ ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ಈಗಿರತಕ್ಕ ಕಾನೂನಿನ ನಿಯಮಗಳ ಮೇರೆಗೆ ಅವರಿಗೆ ಸಾಕಾದಷ್ಟು ಅವಕಾಶವು ಕಲ್ಪಿತವಾಗಿಲ್ಲವೆಂಬ ಅಂಶವು ಸರ್ಕಾರದವರ ಗಮನಕ್ಕೆ ತರಲ್ಪಟ್ಟಿದೆ. ವಿಧಿಸಲ್ಪಟ್ಟ ತೆರಿಗೆಗಳನ್ನು ಕೊಡದೆ ತಪ್ಪಿದವರಿಂದ, ಅವರ ಮೇಲೆ ಪ್ರಾಸಿಕ್ಯೂಷನ್ ವ್ಯವಹರಣೆಯನ್ನು ನಡೆಯಿಸುವುದರ ಮೂಲಕ ಅವುಗಳನ್ನು ವಸೂಲ್ಮಾಡುವುದಕ್ಕೆ ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶಕಲ್ಪಿಸುವ ಒಂದು ನಿಯಮವನ್ನು ಸೇರಿಸುವುದು ಆವಶ್ಯಕವೆಂದು ಬೆಂಗಳೂರು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಕಮಿಷನರವರೂ ಮತ್ತು ಮೈಸೂರು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟರವರೂ ತಿಳಿಸಿದ್ದಾರೆ.

ಬೆಂಗಳೂರು ದಂಡಿನ ಪ್ರದೇಶದಲ್ಲಿ ಆಚರಣೆಯಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ನಿಬಂಧನೆಗಳಲ್ಲಿ ಈ ಬಗೆಯ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ.

ಆದಕಾರಣ, 1933ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆಕ್ಟನ್ನು ತಿದ್ದುಪಾಟು ಮಾಡಿ ಅದಕ್ಕೆ ಒಂದು ಪ್ರಕರಣವನ್ನು ಹೊಸದಾಗಿ ಸೇರಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಆ ಪ್ರಕರಣವು ಯಾವುದೆಂದರೆ :—

"102–A. ಈ ಆಕ್ಟಿನ 64ನೆಯ ಪ್ರಕರಣದ ಮೇರೆಗೆ ವಿಧಾಯಕವಾದ ಯಾವುದಾದರೂ ತೆರಿಗೆಯನ್ನು ಕೊಡಬೇಕೆಂದು 95ನೆಯ ಪ್ರಕರಣದ (3) ನೆಯ ಒಳಪ್ರಕರಣವ ಮೇರೆಗೆ ಒಂದು ತಗಾದೆ ನೋಟೀಸು ಜಾರಿಯಾದ ತಾರೀಖಿನಿಂದ ಹದಿನೈದು ದಿನಗಳೊಳಗಾಗಿ ಅದು ಸಲ್ಲಿಸಲ್ಪಡದೆ ಹೋದಲ್ಲಿ, ಆ ತೆರಿಗೆಯ ಹಣವನ್ನು ಕೊಡದೆ ತಪ್ಪಿದಾತನು, ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರಿಂದ ತಪ್ಪುಸಾಬೀತಾದಲ್ಲಿ, ಆತನಿಂದ ಪಾವತಿಯಾಗಬೇಕಾಗಿರತಕ್ಕ ತೆರಿಗೆಯ ಮೊತ್ತದ ಎರಡರಷ್ಟಕ್ಕೆ ಮೀರದಂತಿರುವಷ್ಟು ಮೊಬಲಗಿನ ಜುಲ್ಮಾನೆಯನ್ನು ಕೊಡಲು ಬದ್ಧನಾಗಿರತಕ್ಕದ್ದು."

2. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಬೇಕಾದುದು ಅಗತ್ಯ. ಸಮಾಜದಲ್ಲಿ ಕಾರ್ಯದಕ್ಷತೆಯು ಹೆಚ್ಚುವುದಕ್ಕೂ, ಸಂಪದಭಿವೃದ್ಧಿಯಾಗುವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ. ಜನಗಳು ತಿಳಿವಳಿಕೆಯನ್ನು ಹೆಚ್ಚು ಮಾಡಿಕೊಂಡು ಜೀವನ ವಿಧಾನದಲ್ಲಿ ಮೇಲ್ಮೆಯನ್ನು ಪಡೆಯುವುದಕ್ಕೂ ಅದರಿಂದ ಸಾಧಕ. ಆದಕಾರಣ, ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಹೆಚ್ಚಾಗಿ ಪ್ರಚಾರಗೊಳಿಸುವುದು ಆವಶ್ಯಕವೆಂಬ ಅಂಶವು ಬಹಳ ಕಾಲದಿಂದಲೂ ಅಂಗೀಕೃತವಾಗಿದೆ. ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಯೋಜನವು ಸರ್ವರಿಗೂ ಲಭಿಸುವಂತೆ ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಧ್ಯೇಯವಾಗಿದೆ. ಆ ಧ್ಯೇಯವು ನೆರವೇರುವುದಕ್ಕೆ ಸಾಧಕವಾಗಿ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಹರಡುತ್ತಾ ಬಂದು ಅಭಿವೃದ್ಧಿಗೊಳ್ಳುವುದಕ್ಕೆ ತಕ್ಕ ಏರ್ಪಾಡು ಮಾಡಬೇಕೆಂಬುದೇ ಸರ್ಕಾರದವರ ಕಾರ್ಯನೀತಿಯಾಗಿದೆ. ಅದೇ ಅವರ ಕಾರ್ಯನೀತಿಯೆಂಬುದನ್ನು ಸರ್ಕಾರದವರು ಸ್ಪಷ್ಟಪಡಿಸಿಯೇ ಇದ್ದಾರೆ. ಈ ಉದ್ದೇಶವನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಈ ಕೆಲಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಎಲ್ಲ ಏರ್ಪಾಡುಗಳಲ್ಲಿಯೂ ಮತ್ತು ಕಾರ್ಯಕ್ರಮಗಳಲ್ಲಿಯೂ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳು ತಮ್ಮೊಡನೆ ಹೆಚ್ಚು ಹೆಚ್ಚಾಗಿ ಸೇರಿ ಕೆಲಸಮಾಡುವಂತೆ ಆಗಿಂದಾಗ್ಗೆ ಅವಕಾಶಕಲ್ಪಿಸುತ್ತಾ ಬಂದಿದ್ದಾರೆ.

ಸರ್ಕಾರದವರು ಅನುಸರಿಸಿಕೊಂಡು ಬಂದ ಈ ಕಾರ್ಯನೀತಿಯನ್ನು ಅತ್ಯಂತವಾಗಿ ಮುಂದುವರಿಸಿದುದರ ಪರಿಣಾಮವಾಗಿ 1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಕಾನೂನು (" ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ಣ ಆಕ್ಟು ") ಮಂಜೂರಾಗಿ ಜಾರಿಗೆ ಬಂದಿತು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳೇ ಮುಂತಾದ ಸ್ಥಳೀಯ ಪ್ರಜಾಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಗೇ, ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೆ ಏರ್ಪಾಡುಮಾಡುವುದನ್ನೂ ಮತ್ತು ಅದರ ಆಡಳಿತ ನಡೆಯಿಸುವುದನ್ನೂ ಸರ್ಕಾರದವರು ಆ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಸಂಪೂರ್ಣವಾಗಿ ವಹಿಸಿಕೊಟ್ಟರು. ಏಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿಯೂ ಏಂಟು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು (ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು); ಮತ್ತು ನಾಲ್ಕು ಪಟ್ಟಣಗಳಲ್ಲಿ ಟ್ರೌನ್ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು ಏರ್ಪಟ್ಟುವು (ಆಯಾ ಮುನಿಸಿಪಾಲಿಟಿಗಳೇ ಈ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳು). ಆಯಾ ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿನ ಎಲ್ಲ ಸರ್ಕಾರಿ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಮತ್ತು ಸರ್ಕಾರದಿಂದ ಸಹಾಯದ್ರವ್ಯವು ದೊರೆಯುತ್ತಿದ್ದ " ಏಯ್ಡೆಡ್ " ಸ್ಕೂಲುಗಳ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ಮತ್ತು, ಆ ಸ್ಕೂಲುಗಳ ಸಿಬ್ಬಂದಿ, ಕಟ್ಟಡಗಳು ಮತ್ತು ಸಲಕರಣೆ ಸಾಮಗ್ರಿಗಳು ಇವೇ ಮುಂತಾದುವುಗಳ ಮೇಲ್ಣಣ ಹತೋಟ್ಟಿಯ ಅಧಿಕಾರವನ್ನೂ 1931ನೆಯ ಇಸವಿ ಜುಲೈ ಒಂದನೆಯ ತಾರೀಖಿನಲಾಗಾಯಿತು ಆಯಾ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡಲಾಯಿತು. ಈ ಸಂಸ್ಥೆಗಳವರು ಅವರ ಅಧಿಕಾರವ್ಯಾಪ್ತಿಗೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿರುವ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಕೆಲಸವು ಅಚ್ಚುಕಟ್ಟಾಗಿ ನಡೆಯುವಂತೆ ಮಾಡುವುದು, ಹೊಸ ಹೊಸ ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುವುದು ಮತ್ತು ಪ್ರೈಮರಿ ಸ್ಕೂಲು ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಉತ್ತಮಪಡಿಸುವುದು — ಈ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ಜವಾಬ್ದಾರರಾಗಿರಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು. ಪ್ರತಿಯೊಂದು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯವರಿಗಾಗಿಯೂ " ಎಲಿಮೆಂಟರಿ ಎಜುಕೇಷ್ಣ ಫಂಡ್ " ಎಂಬ ಹೆಸರಿನ ಒಂದೊಂದು ನಿಧಿಯನ್ನು ಏರ್ಪಡಿಸಲಾಯಿತು. ಆ ನಿಧಿಗಳಿಗೆ ಸರ್ಕಾರದವರು ಸಂಸ್ಥಾನದ ಹುಟ್ಟುವಳಿಯಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪೆಚ್ಚಕ್ಕಾಗಿ ಒದಗಿಸಬೇಕಾಗಿದ್ದ ಹಣವನ್ನೂ ಮತ್ತು ವಿದ್ಯಾಭ್ಯಾಸದ ಸೆಸ್ಸಿನ ವಸೂಲಿಯಿಂದ ಬರತಕ್ಕ ಮೊಲಗುಗಳನ್ನೂ ವರ್ಗಾಯಿಸಿ ಕೊಡಲಾಯಿತು.

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಜಾರಿಗೆ ಬಂದ ತರುವಾಯ ಒಂದು ವರ್ಷದೊಳಗಾಗಿ ಈ ಸಂಸ್ಥೆಗಳವರು, ನಿರ್ಬಂಧವಿಲ್ಲದ ರೀತಿಯಲ್ಲಿ, ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರಕ್ಕಾಗಿ ಕೈಕೊಳ್ಳಬೇಕಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮವನ್ನು ರಚಿಸಿ ಒಪ್ಪಿಸಬೇಕೆಂದು ವಿಧಾಯಕವಾಯಿತು. ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ಪಡೆಯುವುದಕ್ಕಾಗಿ ಸ್ಕೂಲುಗಳಿಗೆ ಹೋಗಬಹುದಾಗಿರತಕ್ಕ ಮತ್ತು ಆರು ವರ್ಷಗಳಿಗೆ ಕಡಮೆಯಿಲ್ಲದೆಯೂ ಹನ್ನೆರಡು ವರ್ಷಗಳಿಗೆ ಹೆಚ್ಚಿಲ್ಲದೆಯೂ ವಯಸ್ಸುಳ್ಳವರಾಗಿರತಕ್ಕ ಎಲ್ಲ ಬಾಲಕ ಬಾಲಕಿಯರಿಗೂ ಸಾಕಾದಷ್ಟು ಸಂಖ್ಯೆಯ ಸ್ಕೂಲುಗಳನ್ನು ಹತ್ತು ವರ್ಷಗಳಿಗೆ ಮೀರದ ಒಂದು ಅವಧಿಯೊಳಗಾಗಿ ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವ ರೀತಿಯಲ್ಲಿ ಆ ಕಾರ್ಯಕ್ರಮ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ತಯಾರಿಸುವಂತೆಯೂ ವಿಧಾಯಕವಾಗಿದ್ದಿತು. ಅಲ್ಲದೆ, ಆಯಾ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶಗಳಲ್ಲಿ ಆರು ವರ್ಷಗಳಿಂದ ಹತ್ತು ವರ್ಷಗಳ ವಯಸ್ಸಿನೊಳಗಿರತಕ್ಕ ಎಲ್ಲ ಮಕ್ಕಳಿಗೂ ನಿರ್ಬಂಧಕವಾಗಿ ವಿದ್ಯಾಭ್ಯಾಸವನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ಸಾಧಕವಾದ ಒಂದು ಕಾರ್ಯಕ್ರಮದ ವಿವರವನ್ನು ಆ ಸಂಸ್ಥೆಗಳವರು ಹತ್ತು ವರ್ಷಗಳ ಕಾಲದೊಳಗಾಗಿ ಸರ್ಕಾರಕ್ಕೆ ಒಪ್ಪಿಸಬೇಕೆಂಬುದಾಗಿಯೂ ಸಹ ವಿಧಾಯಕವಾಗಿದ್ದಿತು.

1930ನೆಯ ಇಸವಿಯಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟನ್ನು ಸಾದರು ಮಾಡಿದಾಗ್ಗೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತಾಧಿಕಾರವನ್ನೂ ಮತ್ತು ಜವಾಬ್ದಾರಿಯನ್ನೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ವಹಿಸಿಕೊಡುವುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕೆ ಒಹುಮಟ್ಟಿನ ಉತ್ತೇಜನವು ದೊರೆಯುವುದೆಂದು ಸರ್ಕಾರದವರು ನಿರೀಕ್ಷೆಯನ್ನಿಟ್ಟುಕೊಂಡಿದ್ದರು. ಆದರೆ ಆ ನಿರೀಕ್ಷೆಯು ನೆರವೇರಿರುವುದಿಲ್ಲ. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟು ಮಂಜೂರಾಗಿ ಈಗ ಸ್ವಲ್ಪ ಹೆಚ್ಚು ಕಡಮೆ ಹತ್ತು ವರ್ಷಗಳು ಕಳೆದಿದ್ದಾಗ್ಗೂ ಕೂಡ, ಪ್ರೈಮರಿ ಸ್ಕೂಲುಗಳ ಸಂಖ್ಯೆಯಾಗಲೆ ಅಥವಾ ಅವುಗಳಲ್ಲಿ ವ್ಯಾಸಂಗ ಮಾಡುವ ಬಾಲಕಬಾಲಕಿಯರ ಸಂಖ್ಯೆಯಾಗಲಿ ಅಪೇಕ್ಷೇನೂ ಗಣನೀಯವಾದ ಮಟ್ಟಿಗೆ ಹೆಚ್ಚಿಲ್ಲ. ಈ ರೀತಿ ನಿರಾಶಾಜನಕವಾದ ಫಲಿತಾಂಶ ಉಂಟಾದುದಕ್ಕೆ ಅನೇಕ ಕಾರಣಗಳಿರುವಂತೆ ತೋರುತ್ತದೆ. ಆ ಪೈಕಿ ಅತ್ಯಂತ ಮುಖ್ಯವಾದ ಕಾರಣವೆಂದರೆ ತಕ್ಕಷ್ಟು ಹಣದ ಅನುಕೂಲವಿಲ್ಲದಿರುವುದು. ಜನಗಳ ಮೇಲೆ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದು ಜನಗಳಿಗೆ ಸಮ್ಮತವಿಲ್ಲವೆಂದು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಅಭಿಪ್ರಾಯವಿದೆ. ಅದರಲ್ಲಿಯೂ ಮುಖ್ಯವಾಗಿ ವ್ಯವಸಾಯಗಾರರಿಗೆ ಮುಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಮತ್ತು ಸಾರ್ವತ್ರಿಕವಾಗಿಯೂ ಮುಗ್ಗಟ್ಟಿನ ಸ್ಥಿತಿಯೊದಗಿರತಕ್ಕ ಈಗಿನ ಸಮಯದಲ್ಲಿ ಹೊಸ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸುವುದರಿಂದ ಜನಗಳ ವಿಶ್ವಾಸವನ್ನು ತಾವು ಕಳೆದುಕೊಳ್ಳುವಂತಾಗುವುದೆಂದೂ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಭಾವಿಸಿರುವಂತಿದೆ. ಅಲ್ಲದೆ, ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರದ ಏರ್ಪಾಡುಗಳನ್ನು ನಡೆಯಿಸಲು ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಯಾವ ಕಾರ್ಯಕ್ರಮವನ್ನೂ ಕೈಕೊಳ್ಳದೆ ಕಟ್ಟಿದಲ್ಲಿ, ಸರ್ಕಾರದವರೇ ಆ ಕಾರ್ಯಕ್ರಮವನ್ನು ಕೈಕೊಳ್ಳಲು 1930ನೆಯ ಇಸವಿಯ ಆಕ್ಟಿನಲ್ಲಿ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ನಿಯಮಗಳನ್ನೇರ್ಪಡಿಸಲಾಗಿದೆ. ಆದೂ ಸಹ, ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳವರು ಈ ವಿಚಾರದಲ್ಲಿ ಉದಾಸೀನರಾಗಿ ಮುಂದೇನಾಗುವುದೋ ನೋಡೋಣವೆಂತ ಆಲಸ್ಯಭಾವದಿಂದಿರಲು ಒಹುಮಟ್ಟಿಗೆ ಕಾರಣವಾಗಿದೆ.

ಈ ಬಗೆಯ ಪರಿಸ್ಥಿತಿಯನ್ನು ಹೋಗಲಾಡಿಸಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದ ಸರ್ಕಾರದವರು 1937ನೆಯ ಇಸವಿಯಲ್ಲಿ ಒಂದು ಸಮಿತಿಯನ್ನು ನೇಮಕಮಾಡಿದರು. ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕಾರ್ಯವು ಹೆಚ್ಚಾಗಿ ಮುಂದುವರಿಯದೆ ನಿಧಾನವಾಗಿ ನಡೆದಿರುವುದಕ್ಕೆ ಕಾರಣಗಳೇನೆಂಬುದನ್ನು ಪರಿಶೀಲಿಸಿ, ಉತ್ತಮ ಫಲತಾಂಶಗಳುಂಟಾಗು

ವಂತೆ ಮಾಡಲು ಯಾವ ಏರ್ಪಾಡುಗಳನ್ನು ಮಾಡಬೇಕೆಂಬುದನ್ನು ಸಲಹೆಮಾಡಬೇಕೆಂಬುದಾಗಿ ಆ ಸಮಿತಿಯವರಿಗೆ ಸರ್ಕಾರದವರು ಆಜ್ಞೆ ಮಾಡಿದರು. ಸಮಿತಿಯವರು ಪರಿಸ್ಥಿತಿಯನ್ನು ಕೂಲಂಕಷವಾಗಿಯೂ ಮತ್ತು ವಿಶೇಷ ಜಾಗರೂಕತೆಯಿಂದಲೂ ಪರಿಶೀಲಿಸಿ ನೋಡಿದ್ದಾರೆ. ಹಾಗೆ ಪರಿಶೀಲಿಸಿ ನೋಡಿದನಂತರ ಅವರು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದಿರುವುದೇನೆಂದರೆ :—ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಮೇಲಿನ ಹತೋಟಿಯನ್ನು ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳವರಿಗೆ ವಹಿಸಿಕೊಟ್ಟ ಮೇಲೆ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ವಿಶೇಷವಾಗಿ ಮುಂದುವರಿದಿಲ್ಲ; ಈಗಿನ ನೆಲೆಯಲ್ಲಿಯೇ "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸದ ಏರ್ಪಾಡನ್ನು ನಿಲುಗಡೆಯಲ್ಲಿ ನಿಲ್ಲಿಸಿರುವುದು ಯುಕ್ತವಲ್ಲ; ಹಾಗೆ ನಿಲ್ಲಿಸಿದ್ದರೆ ಸಂಸ್ಥಾನದ ಶಾಶ್ವತ ಪ್ರಯೋಜನಕ್ಕೇ ಹಾನಿಯುಂಟಾಗುವುದು ಖಂಡಿತ; ಆದಕಾರಣ ಅದಕ್ಕವಕಾಶವನ್ನು ತಪ್ಪಿಸಬೇಕು. ಹೇಗಾದರೂ ಮಾಡಿ ಅದನ್ನು ಮುಂದುವರಿಸುವ ಪ್ರಯತ್ನಗಳನ್ನು ಕೂಡಲೆ ನೆರವೇರಿಸಲೇಬೇಕು.—ಎಂಬಿವು ಸಮಿತಿಯವರ ನಿರ್ಧಾರಗಳು. "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರು ಮತ್ತೆ ವಹಿಸಿಕೊಳ್ಳುವುದೇ ಬಹಳ ಉತ್ತಮವೆಂದೂ ಸಮಿತಿಯವರು ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿದ್ದಾರೆ. "ಪ್ರೈಮರಿ" ಸ್ಕೂಲುಗಳ ಆಡಳಿತವನ್ನು ವಿದ್ಯಾಭ್ಯಾಸದ ಇಲಾಖೆಯ ಮೂಲಕ ಸರ್ಕಾರದವರೇ ನಡೆಯಿಸಬೇಕೆಂದೂ ಸಮಿತಿಯವರು ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ. ಹಾರ್ಟಾಗ್ ಸಮಿತಿಯವರೂ ಸಹ ಅದೇ ಅಭಿಪ್ರಾಯವನ್ನೇ ನಿರ್ದಿಷ್ಟವಾಗಿ ವ್ಯಕ್ತಪಡಿಸಿರುತ್ತಾರೆ. ಈ ಸಂಬಂಧದಲ್ಲಿ ಸಮಿತಿಯವರು ಮತ್ತೊಂದು ಸೂಚನೆಯನ್ನೂ ಕೊಟ್ಟಿದ್ದಾರೆ ಸರ್ಕಾರದವರು ಈ ಏರ್ಪಾಡುಗಳನ್ನು ಕೈಕೊಳ್ಳುವುದರಲ್ಲಿ, ಅದರಲ್ಲಿಯೂ ಮುಖ್ಯವಾಗಿ ಆ ಸಂಬಂಧವಾದ ವೆಚ್ಚಕ್ಕೆ ಹಣವನ್ನೊದಗಿಸುವ ಸಾಧನೋಪಾಯಗಳಿಗೆ ಏರ್ಪಾಡುಮಾಡುವುದರಲ್ಲಿ, ಜನಸಾಮಾನ್ಯದಲ್ಲಿ ಅತ್ಯಧಿಕ ಭಾಗದವರಿಗೆ ಸಮ್ಮತವಾಗಿರುವಂಥ ಏರ್ಪಾಡುಗಳನ್ನೇ ಕೈಕೊಳ್ಳಬೇಕೆಂಬುದೇ ಸಮಿತಿಯವರು ಮಾಡಿರುವ ಆ ಸೂಚನೆ.

ಸಮಿತಿಯವರು ಸಲಹೆಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯವಿಷ್ಟು :—ಮೈದಾನ ಪ್ರದೇಶಗಳಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 500 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ಮತ್ತು ಈಗ ಒಂದು ಸ್ಕೂಲು ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡಲೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಬೇಕು; ಮಲೆನಾಡು ಪ್ರದೇಶದಲ್ಲಿರುವ ಗ್ರಾಮಗಳ ಪೈಕಿ 300 ಮತ್ತು ಅಷ್ಟಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಪ್ರಜಾಸಂಖ್ಯೆಯುಳ್ಳ ಮತ್ತು ಈಗ ಒಂದು ಪಾಠಶಾಲೆಯೂ ಇಲ್ಲದಿರುವ ಪ್ರತಿಯೊಂದು ಗ್ರಾಮದಲ್ಲಿಯೂ ಕೂಡಲೆ ಒಂದು ಸ್ಕೂಲನ್ನೇರ್ಪಡಿಸಬೇಕು. ಅಂಥ ಗ್ರಾಮಗಳು ಸುಮಾರು 750 ಇವೆ. ಆದುದರಿಂದ ಈ ಎಲ್ಲ ಗ್ರಾಮಗಳಿಗೂ ಸ್ಕೂಲುಗಳನ್ನು ಒದಗಿಸಲು ಸಾಧ್ಯವಾಗುವಂತೆ ಪ್ರತಿಯೊಂದು ವರ್ಷದಲ್ಲಿಯೂ 250 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸುತ್ತ ಬಂದು ಮುಂದಿನ ನಾಲ್ಕು ವರ್ಷಗಳೊಳಗಾಗಿ 1,000 ಸ್ಕೂಲುಗಳನ್ನು ಏರ್ಪಡಿಸಬೇಕು—ಇದೇ ಸಮಿತಿಯವರು ಸಲಹೆ ಮಾಡಿರುವ ಏರ್ಪಾಡಿನ ಮುಖ್ಯವಾದ ಆಶಯ.

ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕಾಗಿ ಸರ್ಕಾರದವರು ಮಾಡುತ್ತಿರುವ ವೆಚ್ಚವು ಕ್ರಮವಾಗಿ ಹೆಚ್ಚುತ್ತಾ ಬರುತ್ತಿದೆ. ಸರ್ಕಾರದವರಿಗೆ ಈಗ ಬರುತ್ತಿರುವ ಹುಟ್ಟುವಳಿಯೆಷ್ಟು, ಮತ್ತು ಅವರು ಆ ಹುಟ್ಟುವಳಿಯಿಂದ ವಹಿಸಬೇಕಾದ ನಾನಾ ಬಾಬುಗಳ ವೆಚ್ಚವೆಷ್ಟು ಎಂಬ ಸಂಗತಿಗಳನ್ನು ಕುರಿತು ಆಲೋಚಿಸಿ ನೋಡಿದಲ್ಲಿ, ಮೇಲೆ ಸೂಚಿತವಾಗಿರುವ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಪ್ರಚಾರಕ್ಕಾಗಿ ತಗಲತಕ್ಕ ವೆಚ್ಚವನ್ನೆಲ್ಲ ಸರ್ಕಾರದವರು ಸಂಪೂರ್ಣವಾಗಿ ತಾವೇ ವಹಿಸಿಕೊಳ್ಳಲು ಅವರಿಗೆ ಸಾಧ್ಯವಿಲ್ಲವಾಗಿದೆ. ಆದುದರಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಸಾರ್ವತ್ರಿಕವಾಗಿ ಹರಡಿ ಅಭಿವೃದ್ಧಿಗೊಳ್ಳಬೇಕೆಂಬ ಉದ್ದೇಶವು ನೆರವೇರಬೇಕಾದಲ್ಲಿ ಹೆಚ್ಚಿಗೆ ವರಮಾನದ ಸಾಧನೋಪಾಯಗಳನ್ನು ಹವಣಿಸಿಕೊಳ್ಳಬೇಕಾಗುವುದು. ಆದಕಾರಣ, ಈಗ ಲೋಕಲ್ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಿರುವ ಜಮೀನು ಕಂದಾಯ, ಎಕ್ಸೈಜು ಮತ್ತು ಫಾರೆಸ್ಟು ಸಂಬಂಧವಾದ ಎಲ್ಲ ವರಮಾನದ ಬಾಬುಗಳ ಮೇಲೂ ರೂಪಾಯಿ ಒಂದಕ್ಕೆ ಮೂರು ಕಾಸುಗಳಂತೆ ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ, ಮತ್ತು ಮುನಿಸಿಪಲ್ ವರಮಾನದ ಕೆಲವು ಬಾಬುಗಳ ಮೇಲೆ ರೂಪಾಯಿಗೆ ಒಂದಾಣೆಯಂತೆ ಒಂದು ಸೆಸ್ಸನ್ನು ವಿಧಾಯಕ ಮಾಡಬೇಕೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ. ಹೀಗೆ ಇವೆರಡು ಸೆಸ್ಸುಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದರಿಂದ ಸುಮಾರು 3.3 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಹುಟ್ಟುವಳಿ ಬರುವುದಾಗಿ ನಿರೀಕ್ಷೆಯಿದೆಯೆಂದೂ, ಈ ಹುಟ್ಟುವಳಿಯಷ್ಟೇ ಸಹಾಯ ದ್ರವ್ಯವನ್ನು ಸರ್ಕಾರದವರು ಕೊಡಬೇಕೆಂದೂ, ಹಾಗೆ ಮಾಡಿದಲ್ಲಿ ಈಗ ಸೂಚಿತವಾಗಿರತಕ್ಕ ಏರ್ಪಾಡು ಸುಸೂತ್ರವಾಗಿ ನಡೆದುಕೊಂಡು ಬರಲು ಅನುಕೂಲವಾಗುವುದೆಂದೂ ಸಮಿತಿಯವರು ಸೂಚಿಸಿರುತ್ತಾರೆ.

ಪ್ರೈಮರಿ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರದವರೇ ವಹಿಸಿಕೊಳ್ಳಬೇಕೆಂಬುದಾಗಿ ಸಲಹೆಯಾಗಿದೆಯಷ್ಟೆ. ಅದರ ಜೊತೆಗೆ, ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸಪ್ರಚಾರ ಕಾರ್ಯದಲ್ಲಿ ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳ ಸಹಾಯವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೂ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಬೇಕೆಂಬುದಾಗಿ ಸೂಚಿತವಾಗಿದೆ. ಏಕೆಂದರೆ, ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನು ಆ ಕಾರ್ಯದಲ್ಲಿ ಸೇರಿಸಿಕೊಳ್ಳುವುದರಿಂದ, ಅವರು ತಮ್ಮ ತಮ್ಮ ಸ್ಥಳಗಳ ಆವಶ್ಯಕತೆಗಳನ್ನು ಬಲ್ಲವರಾದ ಅನುಭವಸ್ಥರಾಗಿರುವ ಕಾರಣ, ಉತ್ತಮ ರೀತಿಯ ಸಲಹೆಕೊಟ್ಟು ನೆರವಾಗಲು ಅವಕಾಶ ದೊರೆತಂತಾಗುವುದು. ಅವರು ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳಿಗೆ ನೆರವಾಗಿ ಸಹಾಯಮಾಡಲು ಅವರನ್ನು ಆ ರೀತಿ ಸೇರಿಸಿಕೊಳ್ಳುವಂತೆ ಕಾನೂನಿನಲ್ಲಿಯೇ ಅವಕಾಶ ಕಲ್ಪಿಸಿ ತಕ್ಕ ನಿಯಮವನ್ನೇರ್ಪಡಿಸುವುದು ಆವಶ್ಯಕವೆಂದೂ ತೋರಿಬಂದಿದೆ.

ಈ ಅಂಶಗಳನ್ನೆಲ್ಲ ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಈಗ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆ. ಅದು ಕಾನೂನಾದೊಡನೆಯೇ 1930ನೆಯ ಇಸವಿಯ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಕ್ಟೂ ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ತಿದ್ದುಪಡಿ ಆಕ್ಟಾದ 1933ನೆಯ ಇಸವಿಯ Vನೆಯ ನಂಬರಿನ ಆಕ್ಟೂ ರದ್ದಾಗಿ ಅದು ಜಾರಿಯಲ್ಲಿ ಬರುವಂತೆ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ. ಈಗ ರಚಿಸಿರುವ ಮಸೂದಾ ಕಾನೂನು ಚಿಕ್ಕದಾಗಿದೆ. ಸ್ಥಳೀಯ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಧಿಕಾರ ಸಂಸ್ಥೆಗಳಿಂದ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಆಡಳಿತವನೂ ಹತೋಟಿಯನ್ನೂ ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಳ್ಳುವುದಕ್ಕಾಗಿ ಅದರಲ್ಲಿ ನಿಯಮವು ಏರ್ಪಟ್ಟಿದೆ.

ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ, ಪ್ರಜೆಗಳ ಪ್ರತಿನಿಧಿಗಳನ್ನೊಳಗೊಂಡ ಸಮಿತಿಗಳನ್ನೇರ್ಪಡಿಸಲು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ. ಈ ನಿಯಮದ ಪ್ರಕಾರ ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿಗೂ ಒಂದೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯನ್ನೂ, ಒಟ್ಟು ಸಂಸ್ಥಾನಕ್ಕೆಲ್ಲಾ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಾಗಿ "ಸೆಂಟ್ರಲ್‌ಬೋರ್ಡ್" ಒಂದನ್ನೂ ಏರ್ಪಡಿಸಲಾಗುವುದು. ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯಲ್ಲಿಯೂ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡಿನಿಂದ ಚುನಾಯಿತರಾದ ಸದಸ್ಯರಿರುವರು. ಅವರಿಗೆ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕಮಾಡುವರು. ಉರ್ದು ವಿದ್ಯಾಭ್ಯಾಸ, ನಿಮ್ನ ತರಗತಿಗಳವರ ವಿದ್ಯಾಭ್ಯಾಸ, ಬಾಲಕಿಯರ ವಿದ್ಯಾಭ್ಯಾಸ ಮತ್ತು ಮುನಿಸಿಪಾಲಿಟಿಗಳು—ಇವುಗಳ ಪರವಾಗಿ ತಕ್ಕಷ್ಟು ಮಂದಿ ಪ್ರತಿನಿಧಿಗಳು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳಲ್ಲಿ ಸದಸ್ಯರಾಗಿರುವಂತೆ ಮಾಡುವುದೇ, ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ಅವರನ್ನು ನೇಮಕಮಾಡುವುದರ ಉದ್ದೇಶ. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ತಮಗೆ ದೊರೆಯುವಷ್ಟು ಸಾಧನ ಸಂಪತ್ತುಗಳ ಸಹಾಯದಿಂದ, ತಮ್ಮ ಅಧಿಕಾರಕ್ಕೊಳಪಟ್ಟ ಪ್ರದೇಶದಲ್ಲಿ "ಪ್ರೈಮರಿ" ವಿದ್ಯಾಭ್ಯಾಸವು ಹರಡಿ ಮುಂದುವರಿಯುವಂತೆ ಮಾಡಲು ತಕ್ಕ ಅಂದಾಜುಗಳನ್ನೂ ಮತ್ತು ಕಾರ್ಯಕ್ರಮದ ವಿವರಗಳನ್ನೂ ಪರ್ಯಾಲೋಚನೆಮಾಡಿ ಸಿದ್ಧಗೊಳಿಸುವುದೇ ಅವರ ಮುಖ್ಯ ಕರ್ತವ್ಯವಾಗಿರುತ್ತದೆ.

ಮೇಲೆ ಸೂಚಿಸಿದ "ಸೆಂಟ್ರಲ್ ಬೋರ್ಡ್" ಎಂಬ ಕೇಂದ್ರ ಸಂಸ್ಥೆಯಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳಿಂದ ಚುನಾಯಿಸಿ ಕಳುಹಿಸಲ್ಪಟ್ಟ ಪ್ರತಿನಿಧಿಗಳೂ ಮತ್ತು ಸರ್ಕಾರದವರಿಂದ "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕಮಾಡಲ್ಪಟ್ಟವರೂ ಸದಸ್ಯರಾಗಿರುವರು. ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಯ ಪರವಾಗಿಯೂ ಒಬ್ಬರು ಸದಸ್ಯರಂತೆ ಚುನಾಯಿಸಲ್ಪಡುವರು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ ಪ್ರತಿನಿಧಿಗಳಿಗೆ ಸಮವಾದ ಸಂಖ್ಯೆಯಷ್ಟು ಮಂದಿ ಸದಸ್ಯರನ್ನು ಸರ್ಕಾರದವರು "ನಾಮಿನೇಷ್" ಮೂಲಕ ನೇಮಕ ಮಾಡುವರು. ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳವರು ನಡೆಯಿಸತಕ್ಕ ಪ್ರಯತ್ನಗಳನ್ನೆಲ್ಲ ಕ್ರೋಢೀಕರಿಸಿ ಅವು ಹೊಂದಿಕೆಯಿಂದ ನೆರವೇರುವಂತೆ ಮಾಡುವುದು, ಅವರ ಸಲಹೆಗಳನ್ನೂ ಮತ್ತು ಅಂದಾಜು ವಿವರಗಳನ್ನೂ ಪರಿಶೀಲಿಸುವುದು, ಮತ್ತು ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸ ಪ್ರಚಾರ ಕಾರ್ಯನೀತಿಯ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರಿಗೆ ಸಲಹೆ ಹೇಳುವುದು—ಇವುಗಳೇ ಈ ಕೇಂದ್ರಸಂಸ್ಥೆಯ ಕರ್ತವ್ಯಗಳು.

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಖರ್ಚುವೆಚ್ಚಗಳಿಗಾಗಿ ಈಗಿನಂತೆಯೇ ಪ್ರತಿ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿಯೂ ಒಂದು ನಿಧಿಯಿರುತ್ತದೆ. ಈಗ ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟುಗಳಲ್ಲಿ ಏರ್ಪಟ್ಟಿರತಕ್ಕ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ನಿಧಿಗಳಿಗೆ ಯಾವ ಯಾವ ಬಾಬುಗಳಿಂದ ಹಣವನ್ನು ಜಮೆಕಟ್ಟಲಾಗುತ್ತಿದೆಯೋ ಅದೇ ಬಾಬುಗಳಿಂದ ಇನ್ನು ಮುಂದೆಯೂ ಆ ಡಿಸ್ಟ್ರಿಕ್ಟು ನಿಧಿಗಳಿಗೆ ಹಣವನ್ನು ಜಮೆಕಟ್ಟಲಾಗುವುದು.

ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸದ ಅಡಳಿತವನ್ನು ಸರ್ಕಾರದವರು ವಹಿಸಿಕೊಂಡು, 'ಸೆಂಟ್ರಲ್ ಬೋರ್ಡ್' ಸಂಸ್ಥೆಯ ಮತ್ತು ನಾನಾ ಡಿಸ್ಟ್ರಿಕ್ಟು ಸಮಿತಿಗಳ ಸಲಹೆಗಳ ಸಹಾಯದಿಂದ ಅದನ್ನು ನಡೆಯಿಸಿಕೊಂಡು ಬರುವುದರಿಂದ ಇನ್ನು ಮುಂದೆ ಸಂಸ್ಥಾನದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ವಿದ್ಯಾಭ್ಯಾಸವು ಪರಿಷ್ಕಾರವಾಗಿ ಪ್ರಚಾರಗೊಳ್ಳುವ ವಿಷಯದಲ್ಲಿಯೂ, ಅಭಿವೃದ್ಧಿ ಹೊಂದುವ ವಿಷಯದಲ್ಲಿಯೂ ಮತ್ತು ಉತ್ತಮಪಡುವ ವಿಷಯದಲ್ಲಿಯೂ ವಿಶೇಷ ಗಣನೀಯವಾದ ರೀತಿಯಲ್ಲಿ ಕಾರ್ಯಸಾಧನೆಯಾಗುವುದೆಂದು ಸರ್ಕಾರದವರು ನಂಬಿರುತ್ತಾರೆ.

೪. ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ನಡೆಯುವ ಚುನಾವಣೆಯ ತಕ್ಸೀರುಗಳಿಗೂ ಮತ್ತು ಅವುಗಳ ವಿಚಾರಣೆಗೂ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರಣೆ.

1940ನೆಯ ಇಸವಿಯ ಮೈಸೂರು ಸರ್ಕಾರದ ಆಕ್ಟನ್ನು ಈಚೆಗೆ ಜಾರಿಗೆ ತಂದುದರ ಪರಿಣಾಮವಾಗಿ ವೋಟುರುಗಳಿಗಿರಬೇಕಾದ ಅರ್ಹತೆಗಳು ಕಡಮೆಯಾಗಿವೆ. ಅದರ ಫಲಿತಾಂಶವಾಗಿ ವೋಟುರುಗಳ ಸಂಖ್ಯೆಯು ಬಹಳಮಟ್ಟಿಗೆ ಹೆಚ್ಚುತ್ತದೆ. ಸಂಸ್ಥಾನದಲ್ಲಿರುವ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳ ಚುನಾವಣೆಗಳಲ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟುರುಗಳಿಗೆ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳೂ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ ಚುನಾವಣೆಗಳಲ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟುರುಗಳಿಗೆ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳೂ ಒಂದೇ ಆಗಿರುವಂತೆ ವಿಧಾಯಕವಾಗಿದೆ. ಆದಕಾರಣ ಅದಕ್ಕೆ ತಕ್ಕಂತೆ ಡಿಸ್ಟ್ರಿಕ್ಟು ಬೋರ್ಡುಗಳ ಚುನಾವಣೆಗಳಲ್ಲಿ ಭಾಗವಹಿಸತಕ್ಕ ವೋಟುರುಗಳ ಸಂಖ್ಯೆಯೂ ಸಹ ಹೆಚ್ಚಾಗುತ್ತದೆ.

ರಾಜಕೀಯ ಸುಧಾರಣೆಗಳ ಫಲಿತಾಂಶವಾಗಿ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಹೊಸ ಬಗೆಯಲ್ಲಿ ನಾರ್ವಜನಿಕ ಜೀವನವು ಪ್ರಾರಂಭವಾಗುತ್ತದಷ್ಟೆ. ಅದರಲ್ಲಿ ಚುನಾವಣೆಯ ಕಾರ್ಯಕಲಾಪಗಳು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾಗಿ ಪರಿಣಮಿಸುತ್ತವೆ. ಆದುದರಿಂದ ವೋಟು ಕೊಡುವುದು ನ್ಯಾಯ ವಿಧಾಯಕ ಸಭೆಗೂ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಗೂ ಸಂಬಂಧಪಟ್ಟಿದ್ದರೂ ಸರಿಯೆ ಅಥವಾ ಇತರ ಸಂಸ್ಥೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಿದ್ದರೂ ಸರಿಯೆ ವೋಟು ಕೊಡುವುದರ ಸಂಬಂಧದಲ್ಲಿ ಅಕ್ರಮ ವರ್ತನೆಯು ನಡೆಯುವುದಾದರೆ ಅದರಿಂದುಂಟಾಗುವ ವಿಷಮ ಪರಿಣಾಮವನ್ನು ಜನರಿಗೆ ಮನದಟ್ಟು ಮಾಡಿಕೊಡುವುದು ಅಗತ್ಯವಾಗಿದೆ. ವೋಟು ಕೊಡತಕ್ಕವರು ಯಾವ ದಾಕ್ಷಿಣ್ಯಕ್ಕೂ ನಿರ್ಬಂಧಕ್ಕೂ ಒಳಗಾಗದೆ ಧಾರಾಳವಾಗಿ ತಮ್ಮ ಮನಸ್ಸು ಬಂದ ಉಮೇದುವಾರರಿಗೆ ವೋಟುಕೊಡುವಂತೆ ಅವಕಾಶವಿರಬೇಕು; ಚುನಾವಣೆ ಶಿಸ್ತು ಪೂರ್ಣ ಫಲದಾಯಕವಾಗುವಂತೆ ಕೆಲಸ ನಡೆಯಲು ಅವಕಾಶವಿರಬೇಕು. ಹೀಗಾಗಬೇಕಾದರೆ, ಚುನಾವಣೆಗಳಲ್ಲಿ ವೋಟುರುಗಳು ದಾಕ್ಷಿಣ್ಯಕ್ಕೂ ನಿರ್ಬಂಧಕ್ಕೂ ಒಳಗಾಗುವುದಕ್ಕೆ ಆಸ್ಪದವಿರದಂತೆ ಪರಿಶುದ್ಧತೆಯ ರಕ್ಷಣೆಯಾಗಬೇಕು. ಆದಕಾರಣ, ಅಕ್ರಮವರ್ತನೆಗೆ ದಂಡನೆಯನ್ನು ದೇಶದ ಕ್ರಿಮಿನಲ್ ಕಾನೂನಿನಲ್ಲಿ ಏರ್ಪಡಿಸಬೇಕಾದುದು ಆ ಬಗೆಯ ಪರಿಶುದ್ಧತೆಯ ರಕ್ಷಣೆಗೆ ಅತ್ಯವಶ್ಯವಾದ ಮುಖ್ಯ ಸಾಧನ.

Each district will continue to have a fund made up of the items now credited to Elementary Education funds in the respective districts.

It is hoped that the management by Government, aided by the advice of the Central Board and the several District Committees will help to carry forward to a substantial extent the expansion, consolidation and improvement of Elementary Education in the State.

III. Statement of General Principles of the Mysore Election Offences and Inquiries Bill.

The recent enactment of the Government of Mysore Act, 1940, has resulted in a considerable widening of the franchise. The franchise for the District Boards in the State, which is the same as for the Representative Assembly, has also been correspondingly widened.

As elections will therefore play an important part in the new public life of Mysore, it is considered desirable that the public conscience should be markedly drawn to the danger of corrupt practice in relation to the franchise, whether that franchise relates to legislative or other bodies. It is of the greatest importance, in order to safeguard the free and unhampered exercise of the vote and to secure the successful working of the system of election, that the principle of the purity of the franchise should be insisted on in the criminal law of the country.

The Joint Parliamentary Committee appointed to report on the Government of India (amendment) Bill, 1919, recommended the enactment of such a measure. They said: "The Committee are firmly convinced that a complete and stringent Corrupt Practices Act should be brought into operation before the first election to the Legislative Councils. There is no such Act at present in existence in India and the Committee are convinced that it will not be less required in India than it is in other countries." The Indian Election Offences and Inquiries Act, 1920, was accordingly passed into law in September 1920.

The present Bill is modelled on the British Indian measure and it is made up of two parts. The first part makes certain amendments to the Indian Penal Code, as in force in Mysore, and the Criminal Procedure Code. This part applies not only to elections to the legislative bodies constituted under the Government of Mysore Act, 1940, but to elections to all public bodies generally. It penalises the five new offences created by this Bill, namely, bribery, undue influence, personation, the publication of false statement of fact and the failure to keep accounts.

Part II applies only to elections to legislative bodies constituted under the new Act, provision being made for the conduct of inquiries in regard to disputed elections to them. The Commissioner appointed to hold such inquiries will have the powers of a Court under the Code of Civil Procedure, 1911, when trying a suit. The provisions of the Indian Evidence Act, 1872, as in force in Mysore, will apply to such inquiries. In addition to certain other incidental provisions, this Part also enacts that a person convicted under Chapter IX-A of the Indian Penal Code, as in force in Mysore, will be disqualified from certain appointments and offices. Government are, however, given the power to remove such disqualification in any particular case. Provision is also made for the maintenance of secrecy of voting.

IV. Statement of the General Principles of the Contempt of Courts (Amendment) Bill.

The Contempt of Courts Act, 1930, was modelled largely on the corresponding enactment of British India. Departing from that enactment, however, it provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable.

It is considered desirable to remove this limitation and bring the Act into line with the provision of law in British India on the subject. The effect of the proposed amendment will be that any act intended to bring into contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court.

BANGALORE,
Dated 27th September 1940.

H. V. NARAYANA RAO,
Secretary,
Mysore Representative Assembly.

WD 460—GPB—500—28-9-40.

The Mysore Representative Assembly

DASARA SESSION—OCTOBER 1940.

STATEMENT OF GOVERNMENT BUSINESS TO BE PLACED BEFORE THE REPRESENTATIVE ASSEMBLY.

I. Statement of the General Principles of the Bill to amend the Mysore City Municipalities Act, 1933.

The present procedure for the recovery of assessed taxes in the City Municipalities is laid down in Chapter VIII of the City Municipalities Act, 1933. It has been brought to the notice of Government that the existing provisions of law are inadequate to enable the City Municipal Councils to collect the taxes speedily and to the fullest extent. Both the Municipal Commissioner, Bangalore City, and the President, Mysore City Municipal Council, have stated that it is necessary to insert a provision in the Act empowering the Municipal Councils to collect the assessed taxes from defaulters by recourse to prosecution.

There is a provision of this kind in the Municipal Laws of the Civil and Military Station, Bangalore.

It is accordingly proposed to amend the Mysore City Municipalities Act, 1933 by adding a section as follows:—

102-A. In the event of non-payment of any tax imposed under section 64, within fifteen days from the date of service of notice of demand under clause 3 of Section 95, the person failing to pay such a tax shall, on conviction before a Magistrate, be liable to a fine not exceeding twice the amount of the tax found to be due.

II. Statement of the General Principles of the Elementary Education Bill.

The need for the wider diffusion of primary education, both as means of securing social and economic efficiency, and of enriching and elevating the lives of individuals, has long been recognized, and it has always been the primary concern and the declared policy of Government to provide for the progressive expansion and development of elementary education in the State, with a view to reach the goal of universal elementary education. In order to attain this object, they have, from time to time, made provision for an increasing association of representatives of the people in all schemes and programmes connected with this work.

The culmination of this policy was reached in 1930, when the Elementary Education Act was placed on the Statute Book. The local bodies were completely invested with powers for providing and controlling Elementary Education in their areas. Eight District and four Town Local Educational Authorities came into existence and to their administrative control, all Government Primary Schools and village aided schools situated in the respective local areas with their staff, buildings, equipment, etc., were transferred with effect from 1st July 1931. These bodies were charged with the responsibility for the consolidation, expansion and development of Elementary Education within their respective limits of jurisdiction. An Elementary Education fund was constituted for each Local Education Authority to which were transferred, the amounts spent on Primary Education from the State Fund and the proceeds of Education Cess levied.

These bodies were required to prepare within a period of one year after the Act came into force, a programme of educational expansion on a voluntary basis, so as to provide, within a period not exceeding ten years, for a sufficient number of schools for all children, not being less than six or more than twelve years of age, who were likely to attend schools for elementary education, and also to submit within a period of ten years, a programme of compulsory education of all children between the ages of six and ten years, within the local limits of their jurisdiction.

The expectation entertained in 1930, that a great fillip would be given to expansion by the transfer of control and responsibility to local bodies has not been realised. Though it is nearly a decade since the Elementary Education Act was passed, there is not an appreciable increase either in the number of schools or in the number of scholars. Many causes seem to have contributed towards this disappointing result, the most important being that of finance. There has been a feeling among the local bodies that recourse to levy of fresh taxation would be unpopular, particularly at a time of agricultural and general depression. The provisions of the Act of 1930 enabling Government to take steps in regard to expansion schemes should the local bodies fail to do so, have contributed to a great extent to make them apathetic and adopt an attitude of waiting.

With a view to remedy this state of affairs, a committee was constituted in 1937 to investigate into the causes for the slow progress made so far, and to suggest measures for securing better results. After reviewing the situation with considerable thoroughness and care, the committee has come to the conclusion that the interests of Primary Education have not advanced very much after the control was made over to the Local Education Authorities, and that the present state of stagnation cannot be allowed to continue, any longer, without detriment to the larger interests of the State, and that some forward step must be taken immediately. The Committee is of opinion that it would be far better for Government to resume charge of Primary Education and that Primary Schools should be administered by them through the Department of Public Instruction. The same view has been definitely advanced by the Hartog Committee. The Committee has, at the same time, added that these measures and particularly the financial arrangements should be such as are acceptable to a large section of the public.

The essence of its scheme is that every village in the State with a population of 500 and above in the Maidan and of 300 and above in the Malnad in which there are no schools at present should be provided with a school immediately. The number of such villages being roughly about 750, the recommendation is to start 1,000 schools, 250 each year, so that in about 4 years the wants of almost all these villages may be met.

The expenditure on education is steadily growing and Government cannot, consistent with their present financial resources and the demands which they have to meet in several directions, undertake to shoulder the entire responsibility for financing the expansion of Elementary Education as outlined above. Additional resources have, therefore, to be made available if the object in view is to be achieved. The Committee has, therefore, suggested that a cess of three pies in the rupee be levied on all items of Land, Excise and Forest Revenue on which local cess is now levied, and a cess of one anna in the rupee on certain items of Municipal Revenue, and this is expected to yield about Rs. 3·3 lakhs and that Government should make an equal contribution; so that the scheme as proposed may be easily worked out.

While it is recommended that Government should take over control of primary education, it is also suggested that provision should be made for the association of representatives of the people with the work connected with the expansion of elementary education, as such representatives with their experience and intimate knowledge of local requirements, could give valuable advice in this respect. It is also considered necessary that such association should be on a statutory footing.

The draft bill now under consideration repeals and supersedes the Elementary Education Act of 1939, and also the amendment to it, *viz.*, Act V of 1933, and it is a short measure enabling Government to take over the management and control of Primary Education from the Local Education Authorities.

In the draft bill, provision is also made for the constitution of representative bodies—District Committees, one for each District, and a Central Board for the whole State. A District Committee will consist of members elected by the District Board concerned, an equal number being nominated by Government in order to give adequate representation for Urdu Education, Depressed Class and Girls' Education and Municipalities. Its main function will be to consider plans and programmes for the expansion and development of primary education in its jurisdiction with the financial resources available.

The Central Board will consist of representatives sent by the District Committees, each committee having one representative on the Board and the Government nominating an equal number. Its functions will be to co-ordinate the efforts of District Committees, to examine the proposals and plans, and to advise Government on questions of policy.

THE CONTEMPT OF COURTS (AMENDMENT) BILL.

WHEREAS it is expedient to amend the Contempt of Courts Act, 1930:-

It is hereby enacted as follows:-

Short title and commencement.

1(1) This Act may be called the Contempt of Courts (Amendment) Act, 194

(2) It shall come into force at once.

Amendment of section 2, Act XI of 1930.

2. In section 2 of the Contempt of Courts Act, 1930, the words "in respect of any pending judicial proceedings, civil or criminal" occuring at the end and the Explanation to that section shall be omitted.

Statement of Objects and Reasons.

The Contempt of Courts Act, 1930, was modelled largely on the corresponding enactment of British India. Departing from that enactment, however, it provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable.

It is considered desirable to remove this limitation and bring the Act into line with the provision of law in British India on the subject. The effect of the proposed amendment will be that any act intended to bringinto contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court.

THE CONTEMPT OF COURTS (AMENDMENT) BILL.

WHEREAS it is expedient to amend the Contempt of Courts Act, 1930; ~~for the purposes hereinafter appearing;~~

It is hereby enacted as follows:-

Short Title.and commencement

1(1) This Act may be called the Contempt of Courts (Amendment) Act, 194

(2) It shall come into forde at once.

Amendment of section 2, Act XI of 1930.

2. In section 2 of the Contempt of Courts Act, 1930, the words "in respect of any pending judicial proceedings, civil or criminal" occuring at the end and the Explanation to that section shall be omitted

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Now 27/11

IV. General Principles of the Contempt of Courts (Amending) Bill.

The SECRETARY to GOVERNMENT, LAW DEPARTMENT (Mr. H. V. Narayana Rao) explained the general principles of the bill as follows :—

The Contempt of Courts Act, 1930, was modelled largely on the corresponding enactment of British India. Departing from that enactment, however, it provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable.

It is considered desirable to remove this limitation and bring the Act into line with the provision of law in British India on the subject. The effect of the proposed amendment will be that any act intended to bring into contempt or lower the authority of a Judge or a Court may be dealt with as contempt of court.

Mr. B. L. BYANNA wished to know what interpretation had been given to the word "contempt" in the proposed measure.

Mr. H. V. NARAYANA RAO replied that it had reference to any act which

amounted to an unfair criticism of a Judge or a court.

Mr. B. L. BYANNA again enquired whether it precluded any comment on a court's judgement.

Mr. H. V. NARAYANA RAO replied that it would not penalise any *bona fide* criticism of a judgement.

Mr. C. V. RAMAN pointed out that there was provision in the existing law itself to penalise such offences. He was afraid that this bill would curtail the liberty of speech and thus the freedom of the subjects and that it was an undemocratic measure. For these reasons, he opposed the bill.

The FIRST MEMBER (Rajamantra-pravina N. Madhava Rau) remarked that the liberty of speech referred to by the member should not be carried to the extent of criticising a judge unreasonably.

Mr. M. SUBBIAH said that what was proposed in the amendment was to bring within the scope of law even acts of contempt in respect of decreed suits. Supposing in a dismissed suit, the party were to say that the presiding officer was not fair in his judgement, he wanted to know if it would come within the clutches of the Contempt of Court Act.

Mr. H. V. NARAYANA RAO replied that only unfair comment on the judgement would come within the jurisdiction of the Act. For the elucidation of the House, he read out the definition of "Contempt of Court" from the 1930 Act which was as follows :—

> "For the purposes of this Regulation, a person is said to commit contempt of court who, by words either spoken or written or by signs or by visible representation or otherwise, interferes with or obstructs or attempts to interfere with or obstruct the administration of justice in, or brings or attempts to bring into contempt, or lower or attempts to lower the authority of, the High Court or a Court, subordinate thereto, in respect of any pending judicial proceedings, civil or criminal."

Mr. HUSAIN ALI BEIG replied that the existing law itself contained necessary penal provisions for punshing such offences and he felt that the proposed measure was unnecessary.

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Mr. K. LAKSHMINARAYANA RAO pointed out that there was already a special law called the Contempt of Court Act, 1930, in Mysore. What was proposed in the bill was to omit the words "pending civil or criminal proceedings" from the definition of the term "Contempts of Court" so that any unfair comment on the judgment passed by a court might be treated as an act of contempt. But the effect of the amendment would be to stifle legitimate comment in the press and criticism by the public and thus curtail the freedom of speech and writing. The member contended that there was already adequate provision in the general law of the land, under Section 124A of the Indian Penal Code. Besides, Mysore was a unitary State wherein the executive, the judiciary and the legislature were rolled into one, and there was also the Judicial Officers' Protection Act to protect the Judge or court from unfair criticism.

Mr. H. V. NARAYANA RAO, interrupting the speaker, explained that Section 124A related to cases of sedition and heinous offences and prescribed drastic penalties. Whereas the provisions of the 1930 Act contemplated very light punishments, such as simple imprisonment, and an accused person could get discharged even by tendering an apology.

Mr. K. LAKSHMINARAYANA RAO contended that the court was intended to administer justice according to the law, which was hemmed in by limitations, and not according to moral principles, so that the truth as found out by the court was truth only on the basis of legal principles. In other words, it was a qualified truth. So no Judge could ever pretend that his judgment was always perfectly true or sound. Hence the public had a right to give out their views as they understood it in the moral plane. Such elementary right of freedom of thought or expression could not be taken away. He therefore opposed the amending bill.

The PRESIDENT again pointed out that a similar law was in force in British India and that Government were not doing anything now here. Experience had shown that there was need for incorporating the same provision in the Mysore Statute also.

Mr. A. VENKATESAIYA explained that the amendment envisaged in respect of this bill sought to invest the disciplinary jurisdiction in courts on parties to the litigation as well as on third parties, even after the courts had become *functus officio*, *i. e.*, after the judgment was delivered and the time for appeal or revision was also over. Such vesting of jurisdiction in a court, even though it had disciplinary jurisdiction, would not be in the healthy interests of fair criticism in respect of judicial pronouncements. At the time when this enactment was made in Mysore, the question as to where the

disciplinary jurisdiction should vest even after the courts became *functus officio* was also thought of. But the legislature did not want to vest this jurisdiction in courts. In that respect, he said that Mysore had really taken a lead. Moreover, disciplinary jurisdiction under the proposed amendment would be in direct opposition with jurisprudence and the principles thereof in that the complainant would be the judicial officer in respect of such offences. Hence he said the amendment was unnecessary.

Mr. N. MADHAVA RAU explained that apart from the parties concerned, there was scope for unreasonable criticism by third parties altogether and this bill was intended to protect the court against such criticism. Hence he did not believe that the question of jurisdiction referred to by the previous speaker arose at all.

Mr. J. ASWATHANARAYANA RAO remarked that the members who preceded him seemed to be labouring under a misappredension about the provisions of the bill and that therefore he would trace briefly the history of this legislation. Prior to 1926, there had been many decisions by the British Indian High Courts to the effect that the courts had inherent powers to deal with acts of contempt of court. When the bill was discussed in the Indian Legislative Assembly, the then Law Member stated that the powers of the High Court were very wide and absolute and that it was desirable to restrict those powers to some extent and that was why the Contempt of Court Bill was passed into law as Act XII of 1926. An almost similar Act was enacted in Mysore; but it differed from the other Act to a slight extent in that the Mysore Act provided that acts of contempt committed in respect of pending judicial proceedings only shall be punishable. Whereas the British Indian Act contained only 3 Sections, the one in Mysore had 5 Sections. There was no definition of the term "Contempt of Court" in the British Indian Act; but in the Mysore Act, it had been lucidly defined. What was proposed by the amending bill before the House was merely to omit a few words in the definition with a view to bringing it in line with the British Indian Act. He did not agree with the view that this would go to restrict the liberty of speech of the people. Under Section 499 of the Indian Penal Code, fair comment on the judgment of any court was allowed and the enactment of the bill under discussion would in no way interfere with that right.

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Proceeding, he explained that under the existing law, if an act of contempt was committed during the pendency of a proceeding in a court, the court could take action against the offending party. But immediately after the pronouncement of the judgment, the court could not take any such power under the Act. That is to say, at 3 o'clock, one might be brought under the Contempt of Court Law, but at 3-10, just after the judgment was delivered, it ceased to be an offence. It was to remove this anamolous position that the amendment had been proposed. Moreover, under Section 2 of the existing Act, there was an explanation which ran as follows :—

"A judicial proceeding is deemed to be pending even after a decision is given by a court so long as such decision is open to appeal or revision."

This applied to any proceeding either civil or criminal and in that interval also no comment on the judgment was permissible. If the bill was passed into law, even after the lapse of time of appeal or revision, any unfair comment would be treated as an act of contempt of court. This was a new provision and it might he contended by some, in the speaker's opinion, that it would tend to stifle fair comment also.

Referring to the contention of a previous speaker that Section 124=A already provided for such offences, he was of opinion that it would not apply to such cases and that this amendment had nothing to do with the existing provisions of the Indian Penal Code.

For these reasons, he thought that the proposed amendment was necessary and that there ought to be no room for any difference of opinion about that matter.

Mr, Bhupatam R. CHANDRASEKHARAYYA stated that he could not agree with any of the arguments adduced by the member from Chickballapur in supporting the measure under discussion. It had been stated in the statement of general principles that though the Contempt of Court Act was modelled largely on the corresponding enactment of British India, it provided, however, that acts of contempt committed in respect of pending judicial proceedings only shall be punishable, and that it was desirable to remove this limitation and bring the Act into line with the provision of law in British India, on the subject. It was no doubt the fundamental duty of every citizen in the State to respect the position and privileges of the judges and their findings, and the judges should have protection from adverse criticism on their findings. But before amending the law as proposed, it was necessary to examine the powers and privileges that the judges enjoyed in the Mysore State as compared with those in British India, and decide whether there was any need for the amendment or not. The judges of the High Court must be independent and must give their judgments without fear or favour. They must base their judgments entirely on the evidence adduced before them and should not be influenced

by other considerations. He was sorry to say that such a happy state of affairs was not in existence in the State. It had been stated in the Reforms Committee Report that under the Government of India Act a judge of the High Court shall hold office until he attains the age of 60, unless he resigns or is removed by the Crown on the ground of misbehaviour or infirmity. There was no question of extension whatsoever under any circumstances. But that was not so in the State. The Government could extend their services to any period, and the Committee had therefore recommended that

"it may now be provided that the judges of the High Court should on no account be granted an extension of service beyond the age prescribed generally for superannuation though they may be removed by His Highness for misbehaviour, incapacity or infirmity at any time before it; that the term of their appointment (such as salary) should not be varied during their term of office and that they should not be eligible for any other appointment or office of profit under the Government either before or after retirement."

The FIRST MEMBER (Rajamantrapravina N. Madhava Rau) interrupting, said that the arguments advanced by the speaker had nothing to do with the measure under discussion.

Mr. Bhupalam R. CHANDRASEKHARAYYA said that that would explain how these matters were relevant to the bill before the House.

The PRESIDENT observed that the member would do well to confine himself to the bill under discussion and it was not necessary to animadvert on the appointment of Judges in British India or in the State.

Continuing, **Mr. Bhupalam R. CHANDRASEKHARAYYA** said that he could not understand why the Government had thought of introducing this amendment at this stage. Though the measure had been in force for a number of years, no necessity had been felt for amending it all along. Only recently, there was a case filed before the High Court and the case had to be dismissed for want of a provision of the kind now proposed to be introduced in the measure. It looked as though that this amendment had been thought of as a result of a recommendation from the High Court that even cases of contempt in respect of disposed of cases should be made punishable.

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Continuing, Mr. **Bhupalam R. CHANDRASEKHARAYYA** said that in passing judgments in certain cases the High Court had passed certain strictures against the public. To protest against such strictures, meetings were held in different parts of the State when the High Court judges could indulge in uncalled for criticisms of the people and their activities, the latter also should have the privilege to discuss and criticise such statements, and safeguard their prestige. There was nothing wrong in that. So, instead of introducing a measure of this kind it would be better to make a rule that the judges should not indulge themselves in politics. Merely because there was such a provision in the British Indian enactment, it should not be introduced here. There had been occasion in the recent past when the judges had gone much beyond their jurisdiction in passing certain judgments. The public must have the right to protest against any uncalled for criticism against them by the High Court. But the people would be denied of such a right by the amendment proposed and as such it would result in more harm than good.

For these reasons he appealed to the Government to take back the measure.

Mr. Y. V. MUNISWAMY IYER said that an act of contempt either in respect of pending judicial proceedings or in respect of a disposed of case should be made punishable. He did not agree with Mr. Bhupalam when he said that unlike British Indian Courts, Courts in Mysore State were not independent. According to him Mysore Courts were not lagging behind Courts in British India in that respect. Referring to Mr. Chandrasekharayya's argument that judges sometimes passed scathing remarks while convicting persons, he stated that those persons deserved that kind of treatment because they were the people who were responsible for all the unrest in the State. One of the previous speakers had said that Section 124 (*a*) of the Indian Penal Code was sufficient to deal with such cases of contempt. It was not so because it was meant to deal with sedition. Courts of Law must be held in high esteem. It was only then that people will have some regard for them. For these reasons he supported the measure.

Mr. K. N. PUTTANNA also supported the measure. The bill, he said, would in no way stifle honest criticism of any thing said or done in the best interests of the State. The condition now prevailing in the State needed such a provision. Various political parties had come to exist in the State and the Government were being criticised for what all they did even in the best interests of the subjects. Even talking as a lay man from commonsense point of view, the proposed measure was quite necessary and it would be a great help to the subjects if it was brought into force.

Mr. PUTTANANJAPPA, who spoke next, also opposed the Bill. He said that there was no need to introduce in the State every Bill passed in British India. The members could not help surmising that the proposed measure was the outcome of the case against *Tai Nadu* some time back. This measure would result in greater harm than good and therefore it should not be introduced.

Mr. D. VENKATARAMANAPPA in supporting the measure said that it was desirable to have such a measure with a view to prevent people from going beyond the limits in criticising the findings of judges of the High Court.

Referring to Mr. Bhupalam's remarks that judges had severely criticised the actions of certain parties, he stated that it was after all the fault of the people themselves because they had given room for the judges to make such observations. In the interests of the peace in the country it was very necessary that people must have regard and respect for the Law Courts.

Rao Sahib M. RAMASWAMY stated that the object of the Bill was not intended to curtail the freedom of speech of the people. Even those who opposed the Bill had said that judges must be independent, that their period of appointment should be fixed by statute and that they should discharge their duties without fear or favour. Under the existing law, only acts of contempt committed in respect of pending judicial proceedings were liable to be punished and criticisms made after the judgment was pronounced, could not be considered as an act of contempt. This fact was bound to influence the judge in giving his finding for he would not like to be criticised by the public. Such ought not to be the case. judges should have full liberty to deliver their judgments on the basis of evidence before them and should not be carried away by any other influence. The practice of making objectionable commentaries in public about the Judges and their judgments was therefore very unhealthy to the independence of the judiciary. So, judges must have full independence and it was up to Government to provide for this. With the above words, the speaker supported the measure.

Khaji SYED YUSUF SAHIB speaking next stated that the Bill under discussion was very necessary in the interests of every one in the State. Both the Civil and Criminal Acts in the State were in perfect conformity with those in British India. At present there was nothing to prevent criticism of judgments delivered by the judges and some protection was necessary in this respect. Otherwise their judgments would not be quite independent as they would like to avoid unnecessary criticism on their judgments. He did not agree with Mr. Bhupalam R. Chandrasekharayya that the judiciary in Mysore State was not as independent as in British India. Judges in Mysore Courts were certainly as independent as those in British India and it must be said to their credit that impartial judgments were being given by them in all the cases coming up before the High Court, and the decisions of the Mysore High Court were being cited in Courts in British India. To maintain the independence and the dignity of the Court, the proposed amendment was necessary. Of late the tendency on the part of the people to blame and criticise the action of the higher officers was on the increase. Such a tendency should be effectively checked. With the above words, the speaker supported the measure under discussion.